

2020 Senate Journals

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Veto Session

1-9	Day 01 - 9/16/20
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JOURNAL OF THE SENATE
ONE HUNDREDTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 8, 2020

The Senate was called to order at 12:00 noon by Lieutenant Governor Mike Kehoe.

The Reverend Carl Gauck offered the following prayer:

“I am about to do a new thing; now it springs forth, do you not perceive it?” (Isaiah 43:19)

Gracious God, we come together in this New Year and new decade and new session to fulfill our responsibilities. May we be clear about what we must be about so that the new possibilities that are before us are as You would have us see them and may we do what is required of us to make Your will for us a reality. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

Senator Rowden announced photographers from The Columbia Missourian, Jefferson City News Tribune, KRCG-TV, St. Louis Public Radio, KOMU 8 News, Unterrified Democrat & Gasconade County Republican and Maries County Advocate were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE
SECRETARY OF STATE

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 100th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 100th General Assembly (Second Regular Session) of the State of Missouri, elected at the November 8, 2016 General Election, the June 5, 2018 Special Election, and the November 6, 2018 General Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 8th day of January, 2020.

(Seal)

/s/ Jay Ashcroft

John R. Ashcroft

SECRETARY OF STATE

MISSOURI STATE SENATORS**Elected November 6, 2018**

District	Name
2nd	Bob Onder
4th	Karla May
6th	Mike Bernskoetter
8th	Mike Cierpiot
10th	Jeanie Riddle
12th	Dan Hegeman
14th	Brian Williams
16th	Justin Dan Brown
18th	Cindy O'Laughlin
20th	Eric W. Burlison
22nd	Paul Wieland
24th	Jill Schupp
26th	Dave Schatz
28th	Sandy Crawford
30th	Lincoln Hough
32nd	Bill White
34th	Tony Luetkemeyer

MISSOURI STATE SENATORS**Elected November 8, 2016**

District	Name
1	Scott Sifton
3	Gary Romine
5	Jamilah Nasheed
7	Jason Holsman
9	S. (Kiki) Curls
11	John Rizzo
13	Gina Walsh
15	Andrew Koenig
*17	Lauren Arthur
19	Caleb Rowden

21	Denny Hoskins
23	Bill Eigel
25	Doug Libla
27	Wayne Wallingford
29	David Sater
31	Ed Emery
33	Mike Cunningham

* Special Election held on June 5, 2018 due to the resignation of Senator Ryan Silvey.

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—None

The Lieutenant Governor was present.

The President declared the Second Regular Session of the 100th General Assembly convened.

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 982

BE IT RESOLVED, by the Senate of the One Hundredth General Assembly of the State of Missouri, Second Regular Session, that the rules adopted by the One Hundredth General Assembly, First Regular Session, the state of, insofar as they are applicable, be adopted as the temporary rules for the control of the deliberations of the Senate of the One Hundredth General Assembly, Second Regular Session, until permanent rules are adopted.

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 983

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the One Hundredth General Assembly is duly convened and is now in session and ready for consideration of business.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Aimee Agderian, 901 West 8th Avenue, Kearney, Clay County, Missouri 64060, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2022, and until her successor is duly appointed and qualified; vice, Aimee Agderian, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Dr. Sam L. Alexander, 20465 South Highway RA, Fair Play, Cedar County, Missouri 65649, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2020, and until his successor is duly appointed and qualified; vice, Corinne Walentik, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Mary Jane Almandoz, Republican, 1536 Helmsdale Drive, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2021, and until her successor is duly appointed and qualified; vice, Kent Farnsworth, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Caleb Arthur, Republican, 7825 Carl Avenue, Springfield, Greene County, Missouri 65802, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 1, 2023, and until his successor is duly appointed and

qualified; vice, Caleb Arthur, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 5, 2019, while the Senate was not in session.

Charles E. Atwell, Democrat, 5801 Wornall Road, Kansas City, Jackson County, Missouri 64113, as a member of the Public Defender Commission, for a term ending July 16, 2020 and until his successor is duly appointed and qualified; vice, Craig Chval, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2019, while the Senate was not in session.

Robert M. Barrett, 13814 East Parade Road, Nevada, Vernon County, Missouri 64772, as Commissioner of the Division of Finance for the Department of Commerce and Insurance, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Greta M. Bax, 4911 Southfork Drive, Russellville, Cole County, Missouri 65074, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until her successor is duly appointed and qualified; vice, Cheryl L. Thruston, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Chris Berndt, Republican, 355 Wallen Bluff Drive, Branson, Taney County, Missouri 65616, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 2023, and until his successor is duly appointed and qualified; vice, Chris Berndt, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Catherine Bass Black, 4475 East Cross Timbers Street, Springfield, Greene County, Missouri 65809, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2023, and until her successor is duly appointed and qualified; vice, Lloyd Ray Tubaugh, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Vernon Vito Bracy, Democrat, 111 Kendall Bluff Court, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2026, and until his successor is duly appointed and qualified; vice, Vernon Vito Bracy, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 18, 2019, while the Senate was not in session.

William G. Buchholz II, Democrat, 12619 Clock Tower Drive, Saint Louis, Saint Louis City, Missouri 63138, as a member of the

State Board of Embalmers and Funeral Directors, for a term ending September 1, 2021, and until his successor is duly appointed and qualified; vice, Archie Camden, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Everidge Cade, Jr., Democrat, 1633 Northeast Woodland Shores Drive, Lee's Summit, Jackson County, Missouri 64086, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2026, and until his successor is duly appointed and qualified; vice, Gregory S. Gaffke, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2019, while the Senate was not in session.

Dr. Clifford Chalmers Cain, 2633 Gates Boulevard, Fulton, Callaway County, Missouri 65251, as a member of the Holocaust Education and Awareness Commission, for a term ending at the pleasure of the Governor.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2019, while the Senate was not in session.

Dr. Jeffrey D. Carter, Democrat, 5 Hortense Place, Saint Louis, Saint Louis County, Missouri 63108, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2023, and until his successor is duly appointed and qualified; vice, Dr. Sam L. Alexander, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 18, 2019, while the Senate was not in session.

Dr. Mina Charepoo, 8 Arbor Road, Olivette, Saint Louis County, Missouri 63132, as a member of the Mental Health Commission, for a term ending June 28, 2022, and until her successor is duly appointed and qualified; vice, David L. Vlach, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Carolyn Chrisman, Republican, 28934 State Highway 6, Kirksville, Adair County, Missouri 63501, as a member of the Missouri Women's Council, for a term ending December 6, 2022, and until her successor is duly appointed and qualified; vice, Carolyn Chrisman, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Pat Conway, Democrat, 2222 Edgewater Drive, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Gaming Commission, for a term ending April 29, 2020, and until his successor is duly appointed and qualified; vice, Pat Conway, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Teresa E. Cohan, 6022 East Farm Road 170, Rogersville, Greene County, Missouri 65742, as a member of the Mental Health

Commission, for a term ending June 28, 2021, and until her successor is duly appointed and qualified; vice, Kathleen A. Carter, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 18, 2019, while the Senate was not in session.

Darrell W. Davis, 1812 Northeast Parks Summit Boulevard, Lee's Summit, Jackson County, Missouri 64064, as a member of the Missouri Dental Board, for a term ending October 16, 2024, and until his successor is duly appointed and qualified; vice, William T. Kane, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2019, while the Senate was not in session.

Cathy J. Dean, 828 Huntington Road, Kansas City, Jackson County, Missouri 64113, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2020, and until her successor is duly appointed and qualified; vice, Leland M. Shurin, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Mark J. Elliff, Republican, 1511 Grand Avenue, Carthage, Jasper County, Missouri 64836, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2023, and until his successor is duly appointed and qualified; vice, Mark J. Elliff, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Jane Anne Emerson, 4811 Center Brook Court, Columbia, Boone County, Missouri 65203, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2022, and until her successor is duly appointed and qualified; vice, RSMO 192.745.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Andrea J. Farr, Republican, 3435 Fox Run Lane, Hannibal, Marion County, Missouri 63401, as a member of the Hazardous Waste Management Commission, for a term ending April 3, 2021, and until her successor is duly appointed and qualified; vice, Andrea J. Farr, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Stephanie B. Garrett, 8001 West 32nd Street, Sedalia, Pettis County, Missouri 65301, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2023, and until her successor is duly appointed and qualified; vice, Jeanette Prenger, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Robert R. Gattermeir, Republican, 163 Sunset Road, Lake Ozark, Camden County, Missouri 65049, as a member of the State Lottery Commission, for a term ending September 7, 2022, and until his successor is duly appointed and qualified; vice, Robin Ann Simpson,

resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 30, 2019, while the Senate was not in session.

David W. Hane, Republican, 29955 Enid Drive, Laclede, Linn County, Missouri 64651, as a member of the Missouri Gaming Commission, for a term ending April 29, 2022, and until his successor is duly appointed and qualified; vice, Brian C. Jamison, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Kermit K. Hargis, Republican, 224 South Birum Avenue, Bolivar, Polk County, Missouri 65613, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 2020, and until his successor is duly appointed and qualified; vice, William S. Moriarty, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Steven D. Harrison, Independent, 16625 County Road 4110, Rolla, Phelps County, Missouri 65401, as a member of the Conservation Commission, for a term ending June 30, 2025, and until his successor is duly appointed and qualified; vice, Steven D. Harrison, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Eric S. Hart, 305 Sea Eagle Drive, Columbia, Boone County, Missouri 65202, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2022, and until his successor is duly appointed and qualified; vice, RSMO 192.745.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Jonathan Hayashi, Republican, 186 Gorget Court, Troy, Lincoln County, Missouri 63379, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2020, and until his successor is duly appointed and qualified; vice, Jonathan Hayashi, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Barbara J. Hayden, Republican, 20261 Highway EE, Sedalia, Pettis County, Missouri 65301, as a member of the State Fair Commission, for a term ending December 29, 2022, and until her successor is duly appointed and qualified; vice, Barbara J. Hayden, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Dana A. Hockensmith, 428 Redwood Forest Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Mental Health

Commission, for a term ending June 28, 2023, and until his successor is duly appointed and qualified; vice, Stephen F. Huss, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2019, while the Senate was not in session.

Dr. Seth M. Hudson, 3044 Fox Hollow Road, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending December 12, 2023, and until his successor is duly appointed and qualified; vice, Brian McIntyre, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 18, 2019, while the Senate was not in session.

William T. Kane, 11686 Fairway Circle, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri Dental Board, for a term ending October 16, 2021, and until his successor is duly appointed and qualified; vice, Eric J. Aubert, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2019, while the Senate was not in session.

Dr. Darren Kirchner, 394 West Commercial Street, Kahoka, Clark County, Missouri 63445, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending December 12, 2023, and until his successor is duly appointed and qualified; vice, Homer R. Thompson, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2019, while the Senate was not in session.

Sharon J. Kissinger, 9606 David Drive, Poplar Bluff, Butler County, Missouri 63901, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2021, and until his successor is duly appointed and qualified; vice, Charles L. Bryant, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Kaylyn L. Lambert, 847 East Beechwood Road, Nixa, Christian County, Missouri 65714, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2021, and until her successor is duly appointed and qualified; vice, Kaylyn L. Lambert, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Tracey S.C. Lewis, Independent, 1256 West 59th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2020, and until his successor is duly appointed and qualified; vice, Tracey S.C. Lewis, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2019, while the Senate was not in session.

Dr. Adriatik Likcani, Independent, 1500 Lexington Court, Warrensburg, Johnson County, Missouri 64093, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2021, and until his successor is duly appointed and qualified; vice, Craig W. Smith, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2019, while the Senate was not in session.

Bridget Lovelle, 4640 Silo Hills Drive, Springfield, Greene County, Missouri 65802, as a member of the Amber Alert System Oversight Committee, for a term ending October 20, 2023, and until her successor is duly appointed and qualified; vice, Kelly Rostic, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Cathy Jo Loy, Republican, 204 Eagle Ridge Road, Joplin, Newton County, Missouri 64804, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2023, and until her successor is duly appointed and qualified; vice, RSMO 160.425.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

James Ludden, Republican, 216 West Maupin Street, Bolivar, Polk County, Missouri 65613, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2023, and until his successor is duly appointed and qualified; vice, Robert Wylie, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Lance Mayfield, Democrat, 20 Meadowcrest Court, Viburnum, Iron County, Missouri 65566, as a member of the State Lottery Commission, for a term ending September 7, 2022, and until his successor is duly appointed and qualified; vice, Judene R. Blackburn, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

W. Dudley McCarter, Independent, 338 Peekskill Drive, Saint Louis, Saint Louis County, Missouri 63141, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2022, and until his successor is duly appointed and qualified; vice, Carl A. Bolm, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Chris A. McCreary, Democrat, 777 Northwest County Road M, Centerview, Johnson County, Missouri 64019, as a member of the Credit Union Commission, for a term ending January 1, 2025 and until his successor is duly appointed and qualified; vice, Chris A.

McCreary, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Rick D. McDowell, Republican, 7827 Northwest Twilight Place, Parkville, Platte County, Missouri 64152, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2023, and until his successor is duly appointed and qualified; vice, Rick D. McDowell, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Mark L. McHenry, Independent, 8608 North Marsh Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Conservation Commission, for a term ending June 30, 2025, and until his successor is duly appointed and qualified; vice, Mark L. McHenry, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2019, while the Senate was not in session.

Roger Medley, 4408 County Road 20, Belleview, Iron County, Missouri 63623, as a member of the Amber Alert System Oversight Committee, for a term ending October 20, 2023, and until his successor is duly appointed and qualified; vice, Michael Covington, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Sarah Mills Rottgers, 1801 Northwest 38th Street, Apartment 412, Kansas City, Clay County, Missouri 64116, as a member of the Missouri Achieving a Better Life Experience Board, for a term ending August 29, 2021, and until her successor is duly appointed and qualified; vice, Sarah Mills, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2019, while the Senate was not in session.

Mariann Morgan, Democrat, 719 Euclid Boulevard, Carthage, Jasper County, Missouri 64836, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2021, and until her successor is duly appointed and qualified; vice, Michael L. Franks, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 18, 2019, while the Senate was not in session.

Dr. Patricia Hogan Mort, 1662 South Orchard Crest Avenue, Springfield, Greene County, Missouri 65807, as a member of the Mental Health Commission, for a term ending June 28, 2022, and until her successor is duly appointed and qualified; vice, Karl E. Wilson, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Mary Fontana Nichols, Democrat, 11610 Mack Avenue, Maryland Heights, Saint Louis County, Missouri 63043, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 1, 2023, and until her successor

is duly appointed and qualified; vice, Mary Fontana Nichols, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Sarah Oerther, 200 Lovers Lane, Rolla, Phelps County, Missouri 65401, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2021, and until her successor is duly appointed and qualified; vice, Sarah Oerther, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Kevin O'Mara, Democrat, 347 Falcon Hill Drive, O'Fallon, Saint Charles County, Missouri 63368, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2025, and until his successor is duly appointed and qualified; vice, Bruce Darrough, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2019, while the Senate was not in session.

David Ott, 2187 Quaethem Drive, Chesterfield, Saint Louis County, Missouri 63005, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2021, and until his successor is duly appointed and qualified; vice, Craig Frazier, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Mark S. Owen, 6822 Northwest Kerns Drive, Parkville, Platte County, Missouri 64152, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2020, and until his successor is duly appointed and qualified; vice, Stephen Cox, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Lynn R. Parman, Independent, 6125 Northwest Hickory Place, Parkville, Platte County, Missouri 64152, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, James Kendall Seal, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Dr. Nick Pfannenstiel, 5511 North Farm Road 117, Willard, Greene County, Missouri 65781, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2021, and until his successor is duly appointed and qualified; vice, Dr. Nick Pfannenstiel, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Philip Prewitt, 1403 Englewood Drive, Macon, Macon County, Missouri 63552, as a member of the Administrative Hearing Commission, for a term ending September 17, 2025, and until his successor is duly appointed and qualified; vice, Philip Prewitt, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2019, while the Senate was not in session.

Ron Richard, Republican, 3611 Notting Hill Circle, Joplin, Newton County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2025, and until his successor is duly appointed and qualified; vice, Tracy Flanigan, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Deborah A. Roach, Democrat, 809 South Briggs Street, Grant City, Worth County, Missouri 64456, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, Deborah A. Roach, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2020, while the Senate was not in session.

Rodney Schad, Republican, 14176 Smith Creek Road, Versailles, Morgan County, Missouri 65084, as a member of the Public Defender Commission, for a term ending January 6, 2026 and until his successor is duly appointed and qualified; vice, Rodney Schad, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Bradley Madison Scott, Republican, 10225 South Main Entrance Road, Lake Lotawana, Jackson County, Missouri 64086, as a

member of the Jackson County Sports Complex Authority, for a term ending July 15, 2024, and until his successor is duly appointed and qualified; vice, Bradley Madison Scott, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Patrick Aaron Seamands, Republican, 511 Morning Oaks Court, Ellisville, Saint Louis County, Missouri 63021, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 2023, and until his successor is duly appointed and qualified; vice, Patrick Aaron Seamands, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Blake Sherer, Republican, 304 Northwest Briarcliff Circle, Kansas City, Clay County, Missouri 64116, as a member of the Clay County Board of Election Commissioners, for a term ending June 15, 2023, and until his successor is duly appointed and qualified; vice, Blake Sherer, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Allen R. Shirley, 3520 South Alabama Avenue, Joplin, Newton County, Missouri 64804, as a member of the Missouri Advisory Council on Historic Preservation, for a term ending September 17, 2021, and until his successor is duly appointed and qualified; vice, Allen R. Shirley, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2019, while the Senate was not in session.

Dolores D. (Dee Dee) Simon, 209 DeJournet Drive, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Holocaust Education and Awareness Commission, for a term ending at the pleasure of the Governor.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2019, while the Senate was not in session.

Betty Jean Sisco, 8611 Buddy Holly Drive, Pacific, Jefferson County, Missouri 63069, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2022, and until her successor is duly appointed and qualified; vice, RSMO 192.745.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Thomas H. Skinner, 29699 Jackpot Street, Jacksonville, Macon County, Missouri 65260, as a member of the Board of Private Investigator and Private Fire Investigator Examiners, for a term ending March 4, 2022, and until his successor is duly appointed and qualified; vice, J. Dwight McNiel, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Martha A. Staggs, Republican, 18157 County Road 445, Paris, Monroe County, Missouri 65275, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2022, and until her successor is duly appointed and qualified; vice, Martha

A. Staggs, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Keith Dewayne Stevens, Republican, 4740 South 85th Road, Bolivar, Polk County, Missouri 65613, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2020, and until his successor is duly appointed and qualified; vice, Glen P. Cope, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 24, 2019, while the Senate was not in session.

Dr. David E. Tannehill, Independent, 200 Harbor View Drive, Fenton, Saint Louis County, Missouri 63026, as a member of the State Board of Registration for the Healing Arts, for a term ending September 3, 2022, and until his successor is duly appointed and qualified; vice, Dr. David E. Tannehill, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2019, while the Senate was not in session.

Lynne Unnerstall, 701 West Main Street, Washington, Franklin County, Missouri 63090, as a member of the Mental Health Commission, for a term ending June 28, 2021, and until her successor is duly appointed and qualified; vice, Mary P. Seigfreid, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 20, 2019, while the Senate was not in session.

Dr. Margaret “Margie” Mary Vandeven, 202 Logans Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Midwestern Higher Education Commission, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Dr. Margaret “Margie” Mary Vandeven, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 7, 2020, while the Senate was not in session.

John “Jay” Wasson, Republican, 7002 Calabash Street, Nixa, Christian County, Missouri 65714, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2025, and until his successor is duly appointed and qualified; vice, Virginia L. Fry, deceased.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Christopher Waters, Independent, 1207 Stratford Road, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2025, and until his successor is duly appointed and qualified; vice, Gregory V. Spears, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2020, while the Senate was not in session.

Ken Weymuth, Republican, 1711 Sycamore Drive, Sedalia, Pettis County, Missouri 65301, as a member of the University of Central

Missouri Board of Governors, for a term ending January 1, 2025, and until his successor is duly appointed and qualified; vice, Walter R. Hicklin, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 30, 2019, while the Senate was not in session.

Darla Wierzbicki, Republican, 113 Delores Street, Excelsior Springs, Clay County, Missouri 64024, as a member of the Clay County Board of Election Commissioners, for a term ending June 15, 2021, and until her successor is duly appointed and qualified; vice, Robert “Bob” Nance, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 23, 2019, while the Senate was not in session.

Kurt D. Witzel, Republican, 3116 Southridge Park Lane, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Tourism Commission, for a term ending January 15, 2023, and until his successor is duly appointed and qualified; vice, Kurt D. Witzel, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2019, while the Senate was not in session.

Kenneth J. Zellers, 281 Avalon Hills Drive, Fenton, Saint Louis County, Missouri 63026, as Director of the Department of Revenue, for a term ending at the pleasure of the Governor.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

FIRST READING OF PRE-FILED SENATE BILLS

As provided by Chapter 21, RSMo, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 519—By Curls.

An Act to repeal sections 43.504, 43.507, and 610.140, RSMo, and to enact in lieu thereof three new sections relating to expungement of records.

SB 520—By Curls.

An Act to repeal section 544.170, RSMo, and to enact in lieu thereof one new section relating to detention on arrest without a warrant, with an existing penalty provision.

SB 521—By Curls.

An Act to repeal sections 311.680 and 311.868, RSMo, and to enact in lieu thereof one new section relating to penalties for manufacturers and distillers of intoxicating liquor, with penalty provisions.

SB 522—By Sater.

An Act to repeal sections 116.030, 116.040, 116.050, 116.090, 116.130, 116.160, 116.230, 116.270, 116.332, and 116.334, RSMo, and to enact in lieu thereof eleven new sections relating to the petition process for amending the law, with penalty provisions and a delayed effective date.

SB 523—By Sater.

An Act to repeal sections 195.015 and 195.017, RSMo, and to enact in lieu thereof two new sections relating to the schedules of controlled substances.

SB 524—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto four new sections relating to the Medicaid global waiver.

SB 525—By Emery.

An Act to repeal sections 160.400, 160.410, and 160.415, RSMo, and to enact in lieu thereof three new sections relating to recovery programs for high school students.

SB 526—By Emery.

An Act to repeal sections 67.1846, 67.2677, 67.2689, and 67.5122, RSMo, and to enact in lieu thereof three new sections relating to video service providers.

SB 527—By Emery.

An Act to repeal sections 160.400, 160.403, 160.405, 160.408, 160.410, 160.415, 160.417, and 160.425, RSMo, and to enact in lieu thereof ten new sections relating to charter schools, with an effective date for a certain section.

SB 528—By Cunningham.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state aid for transportation of students.

SB 529—By Cunningham.

An Act to repeal sections 32.310, 144.605, and 144.757, RSMo, and to enact in lieu thereof five new sections relating to use taxes.

SB 530—By Cunningham.

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 572.010, and 572.100, RSMo, and to enact in lieu thereof seven new sections relating to illegal gambling, with existing penalty provisions, with an emergency clause.

SB 531—By Wallingford.

An Act to repeal section 452.375, RSMo, and to enact in lieu thereof one new section relating to child custody arrangements.

SB 532—By Wallingford.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the operation of motor vehicles while using electronic devices, with penalty provisions.

SB 533—By Wallingford.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to hospital workplace violence prevention plans.

SB 534—By Romine.

An Act to repeal sections 160.400, 160.403, 160.405, 160.408, 160.410, 160.415, 160.417, 160.420, and 160.425, RSMo, and to enact in lieu thereof eight new sections relating to charter schools.

SB 535—By Romine.

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to the assessment of mining properties.

SB 536—By Romine.

An Act to repeal section 170.029, RSMo, and to enact in lieu thereof one new section relating to a state plan for career and technical education certificates.

SB 537—By Libla.

An Act to repeal sections 544.671, 565.050, 565.052, and 565.054, RSMo, and to enact in lieu thereof four new sections relating to certain crimes against emergency service providers, with penalty provisions.

SB 538—By Libla.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful possession of a firearm, with penalty provisions.

SB 539—By Libla.

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to taxation of motor fuel, with an emergency clause.

SB 540—By Walsh.

An Act to repeal sections 570.023, 570.025, 570.030, 589.404, and 589.414, RSMo, and to enact in lieu

thereof five new sections relating to registration as a sex offender for certain offenses, with penalty provisions.

SB 541—By Nasheed.

An Act to amend supreme court rule 29.11 relating to the timing of motions for new criminal trials.

SB 542—By Nasheed.

An Act to repeal sections 115.133, 115.155, 115.158, 115.195, and 115.283, RSMo, and to enact in lieu thereof five new sections relating to the right of suffrage for former felons.

SB 543—By Nasheed.

An Act to repeal section 455.010, RSMo, and to enact in lieu thereof sixteen new sections relating to firearms restraining orders, with penalty provisions.

SB 544—By Holsman.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to providing services to homeless persons.

SB 545—By Sifton.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof one new section relating to occupational diseases under workers' compensation laws.

SB 546—By Sifton.

An Act to repeal section 130.011, RSMo, and to enact in lieu thereof two new sections relating to campaign finance disclosure requirements, with an effective date.

SB 547—By Sifton.

An Act to repeal sections 137.180 and 138.434, RSMo, and to enact in lieu thereof three new sections relating to property taxes.

SB 548—By Hegeman.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to federal reimbursement allowances.

SB 549—By Hegeman.

An Act to repeal sections 135.350, 135.352, and 135.363, RSMo, and to enact in lieu thereof three new sections relating to low-income housing tax credits.

SB 550—By Hegeman.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to the assessment of certain properties that are exempt from ad valorem taxes.

SB 551—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance for living organ donors.

SB 552—By Wieland.

An Act to repeal section 105.470, RSMo, and to enact in lieu thereof one new section relating to legislative lobbyists.

SB 553—By Wieland.

An Act to repeal sections 443.717, 443.825, and 443.857, RSMo, and to enact in lieu thereof three new sections relating to mortgage broker licensing.

SB 554—By Riddle.

An Act to repeal sections 58.095, 58.451, 58.720, 193.145, and 193.265, RSMo, and to enact in lieu thereof seven new sections relating to coroners.

SB 555—By Riddle.

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to statutes of limitations.

SB 556—By Riddle.

An Act to repeal section 337.068, RSMo, and to enact in lieu thereof one new section relating to prisoner complaints against a psychologist's license.

SB 557—By Schatz.

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 572.010, and 572.100, RSMo, and to enact in lieu thereof seven new sections relating to illegal gambling, with existing penalty provisions, with an emergency clause.

SB 558—By Schatz.

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof one new section relating to a residency requirement for personnel of certain municipal police forces.

SB 559—By Schatz.

An Act to amend chapter 324, RSMo, by adding thereto eleven new sections relating to statewide mechanical contractor licenses, with penalty provisions.

SB 560—By Onder.

An Act to repeal section 324.008, RSMo, and to enact in lieu thereof one new section relating to professional licensure of nonresident military spouses.

SB 561—By Onder.

An Act to repeal section 556.061, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to the offense of vehicle hijacking, with penalty provisions.

SB 562—By Onder.

An Act to repeal section 571.015, RSMo, and to enact in lieu thereof one new section relating to the

offense of armed criminal action.

SB 563—By Schupp.

An Act to repeal sections 455.050, 455.523, 565.076, 565.227, and 571.070, RSMo, and to enact in lieu thereof five new sections relating to the unlawful possession of firearms, with penalty provisions and an emergency clause.

SB 564—By Schupp.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services, with a referendum clause.

SB 565—By Schupp.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof ten new sections relating to leave from employment, with a referendum clause.

SB 566—By Hoskins.

An Act to amend chapter 313, RSMo, by adding thereto nine new sections relating to video lottery, with penalty provisions.

SB 567—By Hoskins.

An Act to repeal sections 313.230 and 313.800, RSMo, and to enact in lieu thereof eighteen new sections relating to sports wagering, with penalty provisions.

SB 568—By Hoskins.

An Act to repeal section 414.152, RSMo, and to enact in lieu thereof two new sections relating to biodiesel fuel, with penalty provisions.

SB 569—By Koenig.

An Act to repeal section 595.220, RSMo, and to enact in lieu thereof one new section relating to evidentiary collection kits.

SB 570—By Koenig.

An Act to repeal sections 99.805, 99.810, 99.843, and 99.847, RSMo, and to enact in lieu thereof four new sections relating to tax increment financing.

SB 571—By Koenig.

An Act to repeal sections 115.137, 115.155, 115.157, 115.163, 115.225, 115.249, 115.279, 115.287, 115.327, 115.349, 115.351, 115.363, 115.395, 115.397, 115.409, 115.429, and 115.770, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with penalty provisions and a delayed effective date.

SB 572—By Rowden.

An Act to amend chapter 589, RSMo, by adding thereto one new section relating to crime prevention and control programs.

SB 573—By Eigel.

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof two new sections relating to

taxation.

SB 574—By Eigel.

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof three new sections relating to taxation, with penalty provisions.

SB 575—By Eigel.

An Act to amend chapter 537, RSMo, by adding thereto six new sections relating to actions for damages due to exposure to asbestos.

SB 576—By Crawford.

An Act to repeal section 54.140, RSMo, and to enact in lieu thereof one new section relating to the duties of county officials, with existing penalty provisions.

SB 577—By Crawford.

An Act to repeal sections 67.2800 and 67.2815, RSMo, and to enact in lieu thereof seven new sections relating to property assessment contracts for energy efficiency.

SB 578—By Crawford.

An Act to amend chapters 59, 442, and 486, RSMo, by adding thereto seventeen new sections relating to electronic certification of documents, with a penalty provision and a delayed effective date.

SB 579—By Cierpiot.

An Act to repeal sections 137.073, 137.115, 137.180, and 138.060, RSMo, and to enact in lieu thereof four new sections relating to property tax assessments.

SB 580—By Cierpiot.

An Act to amend chapters 143 and 191, RSMo, by adding thereto seven new sections relating to long-term care savings accounts.

SB 581—By Cierpiot.

An Act to amend chapter 135, RSMo, by adding thereto five new sections relating to educational scholarships.

SB 582—By Arthur.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to state funding for competency-based credit.

SB 583—By Arthur.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a tax deduction for educator expenses.

SB 584—By Arthur.

An Act to repeal section 208.053, RSMo, and to enact in lieu thereof one new section relating to child care benefits.

SB 585—By Bernskoetter.

An Act to authorize the conveyance of certain state property.

SB 586—By Bernskoetter.

An Act to amend chapter 620, RSMo, by adding thereto two new sections relating to historic buildings.

SB 587—By Bernskoetter.

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the secretary of state's technology trust fund.

SB 588—By Burlison.

An Act to repeal section 1.320, RSMo, and to enact in lieu thereof nine new sections relating to additional protections to the right to bear arms.

SB 589—By Burlison.

An Act to repeal section 67.307, RSMo, and to enact in lieu thereof one new section relating to sanctuary policies for municipalities.

SB 590—By Burlison.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof two new sections relating to the operation of motorcycles and motortricycles, with penalty provisions.

SB 591—By White.

An Act to repeal sections 510.263, 510.265, 538.205, and 538.210, RSMo, and to enact in lieu thereof five new sections relating to punitive damages.

SB 592—By White.

An Act to amend chapter 393, RSMo, by adding thereto four new sections relating to water and sewer infrastructure.

SB 593—By White.

An Act to repeal sections 367.031, 486.200, 486.205, 486.210, 486.215, 486.220, 486.225, 486.230, 486.235, 486.240, 486.245, 486.250, 486.255, 486.260, 486.265, 486.270, 486.275, 486.280, 486.285, 486.290, 486.295, 486.300, 486.305, 486.310, 486.315, 486.320, 486.325, 486.330, 486.335, 486.340, 486.345, 486.350, 486.355, 486.360, 486.365, 486.370, 486.375, 486.380, 486.385, 486.390, 486.395, 486.396, and 486.405, RSMo, and to enact in lieu thereof seventy-three new sections relating to notaries public, with penalty provisions and a delayed effective date.

SB 594—By Hough.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

SB 595—By Hough.

An Act to repeal sections 208.909, 208.918, and 208.924, RSMo, and to enact in lieu thereof four new sections relating to personal care assistance services.

SB 596—By Hough.

An Act to repeal sections 37.005 and 226.220, RSMo, and to enact in lieu thereof three new sections relating to the conveyance of state property to third parties.

SB 597—By Brown.

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to eminent domain.

SB 598—By Brown.

An Act to repeal sections 193.145, 193.265, and 194.119, RSMo, and to enact in lieu thereof three new sections relating to disposition of human remains.

SB 599—By Brown.

An Act to repeal section 30.753, RSMo, and to enact in lieu thereof one new section relating to investments in linked deposits by the state treasurer.

SB 600—By Luetkemeyer.

An Act to amend chapter 557, RSMo, by adding thereto one new section relating to criminal offenses.

SB 601—By Luetkemeyer.

An Act to repeal section 571.015, RSMo, and to enact in lieu thereof one new section relating to criminal offenses, with penalty provisions.

SB 602—By Luetkemeyer.

An Act to repeal sections 578.421, 578.423, and 578.425, RSMo, and to enact in lieu thereof five new sections relating to criminal street gang activities, with penalty provisions.

SB 603—By O’Laughlin.

An Act to repeal sections 160.400, 160.405, 160.408, 160.410, 160.415, and 160.425, RSMo, and to enact in lieu thereof eight new sections relating to charter schools.

SB 604—By O’Laughlin.

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to eminent domain.

SB 605—By O’Laughlin.

An Act to repeal section 441.233 and 535.010, RSMo, and to enact in lieu thereof three new sections relating to the removal of a tenant from a commercial property.

SB 606—By May.

An Act to repeal section 454.1005, RSMo, and to enact in lieu thereof one new section relating to child support enforcement.

SB 607—By May.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to the use of credit

reports by employers.

SB 608—By May.

An Act to repeal sections 301.227, 407.300, and 407.302, RSMo, and to enact in lieu thereof seven new sections relating to scrap metals, with penalty provisions.

SB 609—By Sater.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to opioid addiction treatment.

SB 610—By Sater.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employer policies on drug use.

SB 611—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the supplemental nutrition assistance program.

SB 612—By Emery.

An Act to repeal sections 106.020, 106.030, 106.040, 106.070, 106.080, 106.090, 106.100, 106.110, 106.120, 106.130, 106.150, 106.160, 106.170, 106.180, 106.200, and 106.210, RSMo, and to enact in lieu thereof fourteen new sections relating to the impeachment process, with a contingent effective date.

SB 613—By Emery.

An Act to repeal sections 610.021 and 610.026, RSMo, and to enact in lieu thereof two new sections relating to access to public records, with an emergency clause.

SB 614—By Emery.

An Act to repeal sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof seven new sections relating to teacher employment.

SB 615—By Cunningham.

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to performance audits conducted in third class counties.

SB 616—By Cunningham.

An Act to repeal section 205.202, RSMo, and to enact in lieu thereof one new section relating to the closure of county hospital districts.

SB 617—By Cunningham.

An Act to amend chapter 321, RSMo, by adding thereto one new section relating to devices for fire protection districts.

SB 618—By Wallingford.

An Act to repeal section 393.1009, RSMo, and to enact in lieu thereof one new section relating to an infrastructure system replacement surcharge for gas corporations.

SB 619—By Wallingford.

An Act to repeal section 640.136, RSMo, and to enact in lieu thereof one new section relating to public water fluoridation.

SB 620—By Wallingford.

An Act to repeal section 36.020, RSMo, and to enact in lieu thereof one new section relating to surviving spouses.

SB 621—By Romine.

An Act to authorize the conveyance of certain state property.

SB 622—By Romine.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to required data collection by the department of elementary and secondary education, with an effective date.

SB 623—By Libla.

An Act to repeal section 210.160, RSMo, and to enact in lieu thereof two new sections relating to guardians ad litem.

SB 624—By Libla.

An Act to amend chapter 351, RSMo, by adding thereto twelve new sections relating to benefit corporations.

SB 625—By Libla.

An Act to repeal section 192.2435, RSMo, and to enact in lieu thereof two new sections relating to multidisciplinary adult protection teams, with an existing penalty provision.

SB 626—By Nasheed.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to student retention.

SB 627—By Nasheed.

An Act to repeal section 162.601, RSMo, and to enact in lieu thereof one new section relating to the creation of subdistricts in certain school districts.

SB 628—By Sifton.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 629—By Sifton.

An Act to repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to the ticket to work health assurance program.

SB 630—By Sifton.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services, with a referendum clause.

SB 631—By Hegeman.

An Act to repeal section 36.155, RSMo, and to enact in lieu thereof one new section relating to the political activity of certain state employees.

SB 632—By Hegeman.

An Act to repeal section 620.2459, RSMo, and to enact in lieu thereof one new section relating to grants to expand access to broadband internet service in unserved and underserved areas of the state.

SB 633—By Hegeman.

An Act to repeal sections 516.120 and 516.140, RSMo, and to enact in lieu thereof two new sections relating to the statute of limitations for personal injury claims.

SB 634—By Wieland.

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to credit for reinsurance.

SB 635—By Wieland.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030, 565.032, 565.035, and 565.040, RSMo, and to enact in lieu thereof four new sections relating to repealing the death penalty, with existing penalty provisions.

SB 636—By Wieland.

An Act to repeal section 68.075, RSMo, and to enact in lieu thereof one new section relating to advanced industrial manufacturing zones.

SB 637—By Riddle.

An Act to repeal sections 337.020 and 337.029, RSMo, and to enact in lieu thereof two new sections relating to psychologist licensees.

SB 638—By Riddle.

An Act to repeal section 566.150, RSMo, and to enact in lieu thereof one new section relating to certain offenders of sex crimes, with existing penalty provisions.

SB 639—By Riddle.

An Act to repeal sections 2.020, 2.110, and 193.225, RSMo, and to enact in lieu thereof three new sections relating to the preservation of records by the secretary of state.

SB 640—By Onder.

An Act to repeal sections 143.011 and 143.022, RSMo, and to enact in lieu thereof two new sections relating to income taxes.

SB 641—By Onder.

An Act to repeal section 144.700, RSMo, and to enact in lieu thereof one new section relating to the use of sales and use tax revenues for transportation.

SB 642—By Onder.

An Act to repeal section 173.1110, RSMo, and to enact in lieu thereof one new section relating to tuition rates for unlawfully present students.

SB 643—By Hoskins.

An Act to repeal sections 313.230 and 313.800, RSMo, and to enact in lieu thereof twenty-seven new sections relating to gaming, with penalty provisions.

SB 644—By Hoskins.

An Act to repeal sections 209.150, 209.200, and 209.204, RSMo, and to enact in lieu thereof three new sections relating to service animals, with penalty provisions.

SB 645—By Hoskins.

An Act to repeal section 162.720, RSMo, and to enact in lieu thereof one new section relating to gifted children.

SB 646—By Koenig.

An Act to repeal sections 67.1545, 238.207, 238.235, and 238.237, RSMo, and to enact in lieu thereof four new sections relating to certain special taxing districts.

SB 647—By Koenig.

An Act to repeal sections 209.334, 214.276, 256.477, 317.015, 324.086, 324.217, 324.262, 324.265, 324.436, 324.496, 324.523, 324.940, 324.1112, 324.1118, 326.280, 326.289, 326.310, 327.131, 327.221, 327.312, 327.381, 327.441, 327.612, 328.075, 328.150, 329.140, 331.030, 331.060, 332.231, 332.251, 332.281, 332.291, 333.041, 334.414, 334.530, 334.613, 334.616, 334.655, 334.715, 334.920, 336.030, 336.110, 337.020, 337.035, 337.330, 337.510, 337.525, 337.615, 337.630, 337.644, 337.645, 337.665, 337.715, 337.730, 339.040, 339.100, 339.511, 339.532, 340.228, 340.264, 340.274, 340.300, 344.030, 344.050, 345.015, 345.050, 345.065, 346.055, 346.105, and 436.230, RSMo, and to enact in lieu thereof seventy-one new sections relating to professional registration, with existing penalty provisions.

SB 648—By Koenig.

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.441, 144.010, 144.011, 144.014, 144.020, 144.030, 144.043, 144.049, 144.054, 144.060, 144.069, 144.080, 144.083, 144.140, 144.190, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.655, 144.710, 144.757, 144.759, 144.761, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 184.845, 221.407, 238.235, 238.410, and 644.032, RSMo, and to enact in lieu thereof seventy-one new sections relating to taxation, with penalty provisions and an effective date for certain sections.

SB 649—By Eigel.

An Act to repeal sections 160.400, 160.405, 160.408, 160.410, and 160.425, RSMo, and to enact in lieu thereof seven new sections relating to charter schools.

SB 650—By Eigel.

An Act to repeal section 192.002, RSMo, and to enact in lieu thereof one new section relating to the mission of the department of health and senior services.

SB 651—By Eigel.

An Act to repeal section 188.036, RSMo, and to enact in lieu thereof three new sections relating to abortion, with penalty provisions.

SB 652—By Crawford.

An Act to repeal section 144.757, RSMo, and to enact in lieu thereof one new section relating to local use taxes.

SB 653—By Crawford.

An Act to repeal sections 210.566, 210.790, and 211.171, RSMo, and to enact in lieu thereof two new sections relating to foster parents.

SB 654—By Crawford.

An Act to repeal sections 409.605, 409.610, 409.615, 409.620, 409.625, 409.630, 409.3-302, 409.4-412, and 409.6-604, RSMo, and to enact in lieu thereof nine new sections relating to the regulation of securities.

SB 655—By Cierpiot.

An Act to repeal section 138.060, RSMo, and to enact in lieu thereof one new section relating to property tax assessment appeals.

SB 656—By Cierpiot.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the Missouri Korean War veterans memorial.

SB 657—By Arthur.

An Act to repeal sections 115.277, 115.279, and 115.283, RSMo, and to enact in lieu thereof three new sections relating to absentee voting, with existing penalty provisions.

SB 658—By Arthur.

An Act to repeal sections 337.035, 337.330, 337.525, 337.630, and 337.730, RSMo, and to enact in lieu thereof five new sections relating to conversion therapy for minors, with penalty provisions.

SB 659—By Arthur.

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.441, 144.010, 144.011, 144.014, 144.020, 144.030, 144.043, 144.049, 144.054, 144.060, 144.069, 144.080, 144.083, 144.140, 144.190, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.655, 144.710, 144.757, 144.759, 144.761, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 184.845, 221.407, 238.235, 238.410, and 644.032, RSMo, and to enact in lieu thereof seventy-one new sections relating to taxation, with penalty provisions and an effective date for certain sections.

SB 660—By Bernskoetter.

An Act to repeal section 163.016, RSMo, and to enact in lieu thereof one new section relating to the dollar value modifier used in certain school districts.

SB 661—By Bernskoetter.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to liability for prescribed burns.

SB 662—By Bernskoetter.

An Act to repeal section 537.115, RSMo, and to enact in lieu thereof one new section relating to the liability for distribution of donated shelf stable packaged food.

SB 663—By Burlison.

An Act to repeal sections 571.030, 571.107, 571.215, 577.703, and 577.712, RSMo, and to enact in lieu thereof seven new sections relating to firearms, with existing penalty provisions.

SB 664—By Burlison.

An Act to repeal sections 407.1095, 407.1098, and 407.1104, RSMo, and to enact in lieu thereof three new sections relating to call spoofing.

SB 665—By Burlison.

An Act to repeal section 188.035, RSMo, and to enact in lieu thereof one new section relating to abortion, with penalty provisions.

SB 666—By White.

An Act to repeal section 208.227, RSMo, and to enact in lieu thereof two new sections relating to antipsychotic drugs.

SB 667—By White.

An Act to repeal sections 550.010 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to court costs.

SB 668—By White.

An Act to repeal sections 579.040 and 579.076, RSMo, and to enact in lieu thereof two new sections relating to distributors of hypodermic needles, with penalty provisions.

SB 669—By Hough.

An Act to repeal section 385.015, RSMo, and to enact in lieu thereof one new section relating to insurance written in connection with credit transactions.

SB 670—By Hough.

An Act to repeal sections 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, and 334.725, RSMo, and to enact in lieu thereof twelve new sections relating to professional registration for the healing arts, with penalty provisions.

SB 671—By Hough.

An Act to repeal section 287.200, RSMo, and to enact in lieu thereof two new sections relating to legal claims based on prior toxic exposure to certain substances.

SB 672—By Brown.

An Act to repeal section 287.310, RSMo, and to enact in lieu thereof one new section relating to workers' compensation premiums.

SB 673—By Brown.

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity for nonresident military spouses.

SB 674—By Brown.

An Act to repeal section 135.305, RSMo, and to enact in lieu thereof one new section relating to a tax credit for the production of wood energy products.

SB 675—By Luetkemeyer.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to property tax assessments.

SB 676—By Luetkemeyer.

An Act to repeal sections 137.180, 137.275, 137.355, 137.385, and 138.090, RSMo, and to enact in lieu thereof five new sections relating to property tax assessments.

SB 677—By Luetkemeyer.

An Act to repeal section 195.140, RSMo, and to enact in lieu thereof seven new sections relating to the monitoring of certain prescribed controlled substances, with penalty provisions.

SB 678—Withdrawn.

SB 679—By O'Laughlin.

An Act to amend supreme court rule 4-7.2, relating to advertisements for legal services.

SB 680—By O'Laughlin.

An Act to repeal section 288.036 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, section 288.036 as enacted by house bill no. 1456, ninety-third general assembly, second regular session, section 288.060 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, and section 288.060 as enacted by house bill no. 163, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to employment security.

SB 681—By May.

An Act to repeal sections 115.277, 115.279, and 115.283, RSMo, and to enact in lieu thereof four new sections relating to voting in elections.

SB 682—By May.

An Act to repeal sections 290.400, 290.410, 290.420, 290.430, 290.440, and 290.450, RSMo, and to enact in lieu thereof five new sections relating to employment practices relating to gender.

SB 683—By May.

An Act to repeal sections 115.353, 115.365, 115.511, 115.515, 115.517, 115.531, 115.555, 115.575, 115.603, 478.010, 478.320, and 478.330, RSMo, and to enact in lieu thereof twelve new sections relating to the election of circuit and associate circuit judges, with a contingent effective date.

SB 684—By Sater.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to the effective date of coverage for MO HealthNet benefits.

SB 685—By Sater.

An Act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to tourism.

SB 686—By Sater.

An Act to repeal section 301.030, RSMo, and to enact in lieu thereof one new section relating to motor vehicle registration periods.

SB 687—By Emery.

An Act to repeal sections 304.009, 304.010, 304.011, 304.013, 304.015, 304.016, 304.017, 304.019, 304.023, 304.031, 304.032, 304.035, 304.040, 304.044, 304.075, 304.110, 304.160, 304.271, 304.281, 304.301, 304.341, 304.351, 304.361, 304.373, 304.570, 304.678, and 304.892, RSMo, and to enact in lieu thereof twenty-seven new sections relating to traffic regulations, with penalty provisions.

SB 688—By Emery.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to the comprehensive state energy plan.

SB 689—By Emery.

An Act to repeal section 337.050, RSMo, and to enact in lieu thereof two new sections relating to continuing education for professional licensees.

SB 690—By Cunningham.

An Act to repeal section 288.060 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, and section 288.060 as enacted by house bill no. 163, ninety-sixth general assembly, first regular session, and to enact in lieu thereof one new section relating to employment security.

SB 691—By Cunningham.

An Act to repeal section 288.132, RSMo, and to enact in lieu thereof two new sections relating to automation adjustments paid by employers subject to unemployment compensation laws, with a delayed effective date.

SB 692—By Cunningham.

An Act to repeal section 190.092, RSMo, and to enact in lieu thereof one new section relating to automated external defibrillators.

SB 693—By Wallingford.

An Act to repeal sections 287.220, 287.280, and 287.480, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

SB 694—By Wallingford.

An Act to repeal section 288.100, RSMo, and to enact in lieu thereof one new section relating to unemployment benefits probationary periods.

SB 695—By Sifton.

An Act to repeal sections 556.061 and 579.020, RSMo, and to enact in lieu thereof two new sections relating to penalties for the offense of delivery of controlled substances containing heroin, with penalty provisions.

SB 696—By Sifton.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses.

SB 697—By Sifton.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to the unlawful possession of firearms, with penalty provisions.

SB 698—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to funding agreements in the business of insurance.

SB 699—By Riddle.

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to the inspection of grounds or facilities used for certain agricultural purposes.

SB 700—By Onder.

An Act to repeal sections 70.441, 571.107, 577.703, and 577.712, RSMo, and to enact in lieu thereof four new sections relating to the carrying of firearms on public transportation systems, with existing penalty provisions.

SB 701—By Onder.

An Act to repeal section 105.505, RSMo, and to enact in lieu thereof one new section relating to the authorization of the deduction of moneys from the paychecks of public employees for the benefit of public labor organizations.

SB 702—By Onder.

An Act to repeal sections 579.065 and 579.068, RSMo, and to enact in lieu thereof two new sections relating to the offense of trafficking drugs containing fentanyl or carfentanil, with existing penalty provisions.

SB 703—By Hoskins.

An Act to repeal section 326.289, RSMo, and to enact in lieu thereof one new section relating to the practice of public accounting.

SB 704—By Hoskins.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to the taxation of partnerships.

SB 705—By Koenig.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to property tax assessments.

SB 706—By Koenig.

An Act to repeal sections 195.417 and 579.060, RSMo, and to enact in lieu thereof six new sections relating to the monitoring of certain prescribed controlled substances, with penalty provisions.

SB 707—By Koenig.

An Act to amend chapters 135 and 166, RSMo, by adding thereto eleven new sections relating to educational scholarship accounts, with penalty provisions.

SB 708—By Eigel.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.312, 197.315, 197.316, 197.318, 197.320, 197.325, 197.326, 197.327, 197.330, 197.335, 197.340, 197.345, 197.355, 197.357, 197.366, 197.367, 197.705, 198.530, 208.169, and 354.095, RSMo, and to enact in lieu thereof four new sections relating to certificates of need.

SB 709—By Eigel.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to traffic enforcement.

SB 710—By Eigel.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof two new sections relating to occupational diseases diagnosed in first responders.

SB 711—By Arthur.

An Act to repeal section 306.220, RSMo, and to enact in lieu thereof one new section relating to personal flotation devices, with penalty provisions.

SB 712—By Arthur.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to anatomical gifts.

SB 713—By Arthur.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credit to offset sales tax liabilities.

SB 714—By Burlison.

An Act to repeal sections 335.016, 335.046, 335.051, 335.056, 335.076, and 335.086, RSMo, and to enact in lieu thereof six new sections relating to advanced practice registered nurses.

SB 715—By Burlison.

An Act to repeal section 536.037, RSMo, and to enact in lieu thereof two new sections relating to state enforcement of federal regulations.

SB 716—By Burlison.

An Act to repeal section 537.600, RSMo, and to enact in lieu thereof one new section relating to

employees of multistate compact agencies.

SB 717—By White.

An Act to repeal section 473.117, RSMo, and to enact in lieu thereof one new section relating to appointment of personal representatives.

SB 718—By White.

An Act to repeal sections 168.021, 208.151, 210.109, and 210.150, RSMo, and to enact in lieu thereof six new sections relating to military families, with an existing penalty provision.

SB 719—By White.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to unsafe motor vehicles, with penalty provisions.

SB 720—By Hough.

An Act to repeal sections 347.179, 347.183, 358.460, and 358.470, RSMo, and to enact in lieu thereof five new sections relating to regulation of certain business organizations, with existing penalty provisions.

SB 721—By Hough.

An Act to repeal section 8.231, RSMo, and to enact in lieu thereof one new section relating to state contracting.

SB 722—By Hough.

An Act to repeal sections 251.600, 251.603, 251.605, 251.610, 251.615, 251.618, 251.621, 251.624, 251.627, and 251.630, RSMo, relating to economic development districts.

SB 723—By Brown.

An Act to repeal sections 393.1400, 393.1640, and 393.1655, RSMo, and to enact in lieu thereof three new sections relating to discounted electric rates.

SB 724—By Brown.

An Act to amend chapter 620, RSMo, by adding thereto eight new sections relating to rural workforce development incentives.

SB 725—By Brown.

An Act to repeal section 91.450, RSMo, and to enact in lieu thereof one new section relating to boards of public works in certain cities.

SB 726—By Luetkemeyer.

An Act to repeal sections 435.415 and 537.065, RSMo, and to enact in lieu thereof two new sections relating to civil actions.

SB 727—By Luetkemeyer.

An Act to repeal section 407.025, RSMo, and to enact in lieu thereof one new section relating to civil actions.

SB 728—By Luetkemeyer.

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof four new sections relating to arbitration agreements between employers and employees.

SB 729—By Sater.

An Act to amend chapter 173, RSMo, by adding thereto five new sections relating to private college campus police.

SB 730—By Sater.

An Act to repeal sections 493.025, 493.027, 493.050, and 493.055, RSMo, and to enact in lieu thereof four new sections relating to publication of notice.

SB 731—By Sater.

An Act to repeal section 64.805, RSMo, and to enact in lieu thereof one new section relating to the attendance fee for members of county planning commissions.

SB 732—By Emery.

An Act to repeal section 285.500, RSMo, and to enact in lieu thereof two new sections relating to misclassification of workers.

SB 733—By Emery.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to obscene websites, with penalty provisions.

SB 734—By Emery.

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to funding for charter schools, with an effective date for a certain section.

SB 735—By Sifton.

An Act to amend chapter 34, RSMo, by adding thereto three new sections relating to disclosures required by entities entering into contracts with a public agency.

SB 736—By Sifton.

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to property exempt from attachment and execution.

SB 737—By Sifton.

An Act to repeal section 621.015, RSMo, and to enact in lieu thereof one new section relating to administrative hearing commissioners.

SB 738—By Onder.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to the employer-employee relationship.

SB 739—By Onder.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

SB 740—By Onder.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to the misclassification of workers.

SB 741—By Koenig.

An Act to repeal section 144.080, RSMo, and to enact in lieu thereof one new section relating to sales tax filing periods, with existing penalty provisions.

SB 742—By Koenig.

An Act to repeal section 143.991, RSMo, and to enact in lieu thereof one new section relating to tax relief for victims of certain terrorist attacks.

SB 743—By Eigel.

An Act to repeal section 643.310, RSMo, and to enact in lieu thereof one new section relating to motor vehicle emissions inspections.

SB 744—By Eigel.

An Act to repeal sections 109.400 and 109.410, RSMo, and to enact in lieu thereof one new section relating to the preservation of records.

SB 745—By Burlison.

An Act to repeal section 407.025, RSMo, and to enact in lieu thereof three new sections relating to civil actions.

SB 746—By Burlison.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to food and merchandise containers.

SB 747—By Burlison.

An Act to repeal section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to county regulations, with a penalty provision.

SB 748—By White.

An Act to repeal section 302.720, RSMo, and to enact in lieu thereof two new sections relating to commercial driver's licenses.

SB 749—By White.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to hearing aids.

SB 750—By White.

An Act to repeal sections 209.150, 209.200, and 209.204, RSMo, and to enact in lieu thereof three new sections relating to service animals, with penalty provisions.

SB 751—By Hough.

An Act to repeal section 304.060, RSMo, and to enact in lieu thereof one new section relating to

contracts for the transportation of school children.

SB 752—By Brown.

An Act to repeal sections 287.610 and 287.615, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

SB 753—By Brown.

An Act to repeal section 565.021, RSMo, and to enact in lieu thereof one new section relating to the offense of murder in the second degree, with penalty provisions.

SB 754—By Luetkemeyer.

An Act to repeal section 313.800, RSMo, and to enact in lieu thereof fourteen new sections relating to sports wagering.

SB 755—By Sater.

An Act to repeal section 169.020, RSMo, and to enact in lieu thereof one new section relating to the disclosure of public school retirement system board member salaries.

SB 756—By Sifton.

An Act to repeal section 621.045, RSMo, and to enact in lieu thereof fourteen new sections relating to roofing contractors, with penalty provisions.

SB 757—By Onder.

An Act to amend chapter 144.058, RSMo, by adding thereto one new section relating to a sales tax exemption for electricity.

SB 758—By Onder.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful possession of a firearm for certain persons, with penalty provisions.

SB 759—By Onder.

An Act to repeal sections 571.060 and 571.063, RSMo, and to enact in lieu thereof two new sections relating to firearms, with penalty provisions.

SB 760—By Burlison.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 761—By Burlison.

An Act to amend chapter 173, RSMo, by adding thereto two new sections relating to student associations at public institutions of higher learning.

SB 762—By Burlison.

An Act to repeal section 407.020, RSMo, and to enact in lieu thereof one new section relating to unlawful merchandising practices, with existing penalty provisions.

SB 763—By White.

An Act to repeal section 544.193, RSMo, and to enact in lieu thereof one new section relating to body cavity searches.

SB 764—By Onder.

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to edible marijuana-infused products.

SB 765—By Onder.

An Act to repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to the scheduling of kratom as a controlled substance.

SB 766—By Onder.

An Act to repeal sections 302.505, 302.510, 302.541, 302.545, 302.592, 302.700, 304.585, 478.007, 544.155, 577.001, 577.012, 577.021, and 577.037, RSMo, and to enact in lieu thereof thirteen new sections relating to the offense of driving with prohibited blood alcohol or drug content, with penalty provisions.

SB 767—By Burlison.

An Act to repeal section 287.200, RSMo, and to enact in lieu thereof one new section relating to permanent total disability benefits payable pursuant to workers' compensation laws.

SB 768—By Onder.

An Act to repeal section 70.705, RSMo, and to enact in lieu thereof one new section relating to member contribution amounts for the Missouri local government employees' retirement system.

SB 769—By Burlison.

An Act to repeal sections 376.1005, 376.1017, and 376.1037, RSMo, and to enact in lieu thereof four new sections relating to multiple employer self-insured health plans.

SB 770—By Hough.

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to transient guest taxes.

SB 771—By Wallingford.

An Act to repeal sections 260.302, 260.325, and 260.335, RSMo, and to enact in lieu thereof three new sections relating to solid waste management districts.

SB 772—By Romine.

An Act to repeal section 452.335, RSMo, and to enact in lieu thereof one new section relating to maintenance orders.

SB 773—By Riddle.

An Act to repeal sections 67.453 and 67.1461, RSMo, and to enact in lieu thereof two new sections relating to powers of local area improvement districts.

SB 774—By Brown.

An Act to repeal sections 301.560 and 301.564, RSMo, and to enact in lieu thereof two new sections

relating to responsibilities of the Missouri state highway patrol.

SB 775—By Schatz.

An Act to repeal sections 321.015, 321.190, and 321.603, RSMo, and to enact in lieu thereof three new sections relating to fire protection districts.

SB 776—By Cunningham.

An Act to repeal sections 57.280 and 488.435, RSMo, and to enact in lieu thereof two new sections relating to charges for service of court orders.

SB 777—By Wallingford.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to department of revenue fee offices.

SB 778—By Hoskins.

An Act to amend chapters 217, 577, and 632, RSMo, by adding thereto three new sections relating to the offense of unlawful use of unmanned aircraft, with penalty provisions

SB 779—By Crawford.

An Act to repeal sections 303.200, 379.860, 383.155, 383.160, and 383.175, RSMo, and to enact in lieu thereof five new sections relating to the regulation of residual insurance market entities.

SB 780—By Hough.

An Act to repeal sections 301.010, 301.190, 301.197, 301.200, and 301.210, RSMo, and to enact in lieu thereof five new sections relating to transportation.

SB 781—By Brown.

An Act to repeal section 650.035, RSMo, and to enact in lieu thereof one new section relating to law enforcement assistance programs.

SB 782—By Brown.

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to boating safety identification cards.

SB 783—By Brown.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from liability for inherent risks of camping.

SB 784—By Wallingford.

An Act to repeal section 143.1027, RSMo, and to enact in lieu thereof one new section relating to income tax refund donations.

SB 785—By Koenig.

An Act to repeal sections 137.010 and 137.122, RSMo, and to enact in lieu thereof two new sections relating to the assessment of certain properties.

SB 786—By Romine.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to instruction on human sexuality and sexually transmitted diseases.

SB 787—By Romine.

An Act to amend chapters 160 and 173, RSMo, by adding thereto two new sections relating to suicide prevention for students.

SB 788—By Schupp.

An Act to repeal section 208.151, RSMo, and to enact in lieu thereof two new sections relating to providing screening and treatment for certain mothers in the postpartum depression care act.

SB 789—By Schupp.

An Act to repeal section 130.011, RSMo, and to enact in lieu thereof two new sections relating to the eliminate dark money act, with an effective date.

SB 790—By Schupp.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the truth in medicine act.

SB 791—By Eigel.

An Act to amend chapters 67 and 137, RSMo, by adding thereto two new sections relating to the issuance of local bonds.

SB 792—By Eigel.

An Act to amend chapter 589, RSMo, by adding thereto nine new sections relating to the protection of children, with penalty provisions.

SB 793—By Koenig.

An Act to repeal sections 407.020 and 407.025, RSMo, and to enact in lieu thereof two new sections relating to civil actions, with an existing penalty provision.

SB 794—By Eigel.

An Act to repeal section 227.100, RSMo, and to enact in lieu thereof one new section relating to valuation of bids for state contracts.

SB 795—By Hough.

An Act to repeal sections 2.040, 2.050, 2.060, 2.110, 3.010, 3.110, 3.140, 3.142, 3.150, 23.020, 23.040, and 23.050, RSMo, and to enact in lieu thereof twelve new sections relating to the duties and functions of the joint committee on legislative research.

SRB 796—By Hough.

An Act to repeal sections 32.088, 67.5125, 103.175, 103.178, 104.404, 105.721, 130.034, 135.313, 135.710, 135.750, 135.980, 136.450, 143.173, 143.1008, 143.1009, 143.1013, 143.1014, 143.1017, 160.405, 160.500, 163.024, 171.034, 172.287, 173.236, 173.680, 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743, 191.950, 192.926, 199.020, 208.053, 208.169, 208.627, 210.154, 215.263, 217.147, 260.900,

260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153, 338.320, 414.407, 454.433, 454.470, 454.490, 476.1000, 559.117, 620.570, 620.1910, 630.717, 633.420, 640.030, and 660.512, RSMo, and to enact in lieu thereof fourteen new sections for the sole purpose of repealing expired, terminated, sunset, and obsolete statutes.

SB 797—By Wieland.

An Act to repeal sections 370.010, 370.020, 370.030, 370.071, 370.110, 370.120, 370.130, 370.151, 370.170, 370.190, 370.200, 370.220, 370.230, 370.235, 370.260, 370.270, 370.275, 370.310, 370.340, 370.350, 370.355, 370.356, 370.358, and 370.359, RSMo, and to enact in lieu thereof twenty-four new sections relating to credit unions, with existing penalty provisions.

SB 798—By Hoskins.

An Act to repeal sections 313.230 and 313.800, RSMo, and to enact in lieu thereof three new sections relating to sports wagering.

SB 799—By Schupp.

An Act to amend chapter 571, RSMo, by adding thereto two new sections relating to background checks for the sale and transfer of firearms, with penalty provisions.

SB 800—By Schupp.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to sales taxes imposed on certain products.

SB 801—By Koenig.

An Act to repeal section 143.441, RSMo, and to enact in lieu thereof one new section relating to corporate income taxes.

SB 802—By Hegeman.

An Act to repeal section 115.646, RSMo, and to enact in lieu thereof one new section relating to the use of public funds in elections.

SB 803—By Crawford.

An Act to repeal section 473.742, RSMo, and to enact in lieu thereof one new section relating to salaries of public administrators, with a delayed effective date.

SB 804—By Cunningham.

An Act to repeal section 376.945, RSMo, and to enact in lieu thereof one new section relating to funds held in reserve for life care contracts.

SB 805—By Hoskins.

An Act to repeal sections 32.087, 32.310, 144.020, 144.605, and 144.757, RSMo, and to enact in lieu thereof seven new sections relating to sales taxes.

SB 806—By Koenig.

An Act to repeal section 345.050, RSMo, and to enact in lieu thereof one new section relating to

licensing of speech pathologists and audiologists.

SB 807—By Crawford.

An Act to repeal sections 67.453 and 67.1461, RSMo, and to enact in lieu thereof two new sections relating to powers of local area improvement districts.

SB 808—By Crawford.

An Act to repeal sections 536.010, 536.050, 536.175, 536.300, 536.303, 536.305, 536.310, 536.315, 536.323, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to the small business regulatory fairness board.

SB 809—By Brown.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to motor vehicle history reports.

SB 810—By Luetkemeyer.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to contracts for work on the state highway system.

SB 811—By Luetkemeyer.

An Act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to student curators.

SB 812—By Sater.

An Act to amend chapter 595, RSMo, by adding thereto two new sections relating to victims of sexual assault.

SB 813—By Sater.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to alternative sentencing.

SB 814—By Nasheed.

An Act to repeal section 191.1165, RSMo, and to enact in lieu thereof one new section relating to medication-assisted treatment.

SB 815—By Eigel.

An Act to repeal section 115.127, RSMo, and to enact in lieu thereof one new section relating to the period for filing a declaration of candidacy for certain offices.

SB 816—By Crawford.

An Act to repeal sections 578.018 and 578.030, RSMo, and to enact in lieu thereof two new sections relating to the confiscation of animals, with penalty provisions.

SB 817—By Crawford.

An Act to repeal sections 88.770, 91.550, 386.800, and 394.315, RSMo, and to enact in lieu thereof four new sections relating to rural electric cooperatives.

SB 818—By Wallingford.

An Act to repeal sections 115.357, 115.427, and 115.642, RSMo, and to enact in lieu thereof three new sections relating to elections.

SB 819—By Wallingford.

An Act to repeal sections 253.545, 253.550, 253.557, 253.559, and 620.1900, RSMo, and to enact in lieu thereof six new sections relating to facilities of historic significance.

SB 820—By Burlison.

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the titling of abandoned property.

SB 821—By Hough.

An Act to repeal section 575.095, RSMo, and to enact in lieu thereof one new section relating to the courts, with an existing penalty provision.

SB 822—By Wallingford.

An Act to repeal sections 260.228 and 260.270, RSMo, and to enact in lieu thereof two new sections relating to solid waste forfeiture funds, with existing penalty provisions.

SB 823—By Wallingford.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the Alzheimer's state plan task force.

SB 824—By Wallingford.

An Act to repeal section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to certification of juveniles for trial as an adult, with existing penalty provisions.

SB 825—By Libla.

An Act to amend chapter 386, RSMo, by adding thereto one new section relating to customer subsidization of electric vehicle charging stations.

SB 826—By White.

An Act to repeal sections 193.265, 208.151, and 431.056, RSMo, and to enact in lieu thereof three new sections relating to child protection.

SB 827—By White.

An Act to repeal section 386.572, RSMo, and to enact in lieu thereof one new section relating to civil penalties for violating federally mandated natural gas safety standards.

SB 828—By Hough.

An Act to repeal section 610.021, RSMo, and to enact in lieu thereof one new section relating to records of municipally owned utilities.

SB 829—By Hough.

An Act to repeal sections 191.765, 191.769, 191.775, 191.776, 407.924, 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof twelve new sections relating to tobacco products, with penalty provisions.

SJR 31—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 50 and 51 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the initiative petition process.

SJR 32—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to the Constitution of Missouri, by adding thereto one new article and section relating to work and community engagement requirements for certain Medicaid participants.

SJR 33—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 2 of article VII of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the impeachment process.

SJR 34—By Libla.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adding thereto one new section relating to competitive retail electric energy markets.

SJR 35—By Nasheed.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 10 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the use of census data for the purposes of redistricting.

SJR 36—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to exemptions from property tax.

SJR 37—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 3, 7, 8, 9, 16, and 19 of article III of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to members of the general assembly.

SJR 38—By Hegeman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7, of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

SJR 39—By Hegeman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 25(a)

of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the nonpartisan court plan.

SJR 40—By Koenig.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 4(d) and 26 of article X of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to taxation.

SJR 41—By Koenig.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(b) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax assessments.

SJR 42—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IV of the Constitution of Missouri, relating to the state budget.

SJR 43—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(b) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax assessments.

SJR 44—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 4(a), 4(b), 4(c), 6, and 12(a) of article X of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to personal property taxes.

SJR 45—By Cierpiot.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to local taxation.

SJR 46—By Cierpiot.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to voter turnout thresholds for tax increases.

SJR 47—By Cierpiot.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 18(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the office of assessor in charter counties.

SJR 48—By Luetkemeyer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(b) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax assessments.

SJR 49—By O’Laughlin.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7, of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

SJR 50—By O’Laughlin.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, by adding thereto one new section relating to participation of students in statewide activity associations.

SJR 51—By May.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 15, 16, 25(a), 25(b), 25(c)(1), 25(c)(2), and 25(d) of article V of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to the election of circuit and associate circuit judges.

SJR 52—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, by adding thereto one new section relating to voter turnout thresholds for tax increases.

SJR 53—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the appropriation of state money.

SJR 54—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

SJR 55—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to parents’ exclusive right to control the upbringing of their children.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 4515**.

HOUSE RESOLUTION NO. 4515

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the One Hundredth General Assembly, Second Regular Session, informs the Senate that the House is duly convened and is now in session ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **HR 4516**.

HOUSE RESOLUTION NO. 4516

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform his Excellency that the House of Representatives of the One Hundredth General Assembly, Second Regular Session, of the State of Missouri, is now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 57**.

HOUSE CONCURRENT RESOLUTION NO. 57

BE IT RESOLVED, by the House of Representatives of the One Hundredth General Assembly, Second Regular Session, of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 3:00 p.m., Wednesday, January 15, 2020, to receive a message from His Excellency, the Honorable Michael L. Parson, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) members from the House of Representatives be appointed by the Speaker to act with a committee of ten (10) members from the Senate, appointed by the President Pro Tempore, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the One Hundredth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the house has taken up and adopted **HCR 58**.

HOUSE CONCURRENT RESOLUTION NO. 58

BE IT RESOLVED, by the House of Representatives of the One Hundredth General Assembly, Second Regular Session, of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 22, 2020, to receive a message from the Honorable George W. Draper III, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) members from the House of Representatives be appointed by the Speaker to act with a committee of ten (10) members from the Senate, appointed by the President Pro Tempore, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the One Hundredth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 830—By Cunningham.

An Act to repeal sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, and to enact in lieu thereof eight new sections relating to workforce development in elementary and secondary education.

SB 831—By Cunningham.

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to meetings of the board of public buildings.

SB 832—By Cunningham.

An Act to repeal section 393.135, RSMo, and to enact in lieu thereof two new sections relating to construction costs of certain new electric generation facilities.

SB 833—By Luetkemeyer.

An Act to repeal section 506.384, RSMo, and to enact in lieu thereof one new section relating to civil actions brought by inmates in county jails.

SB 834—By Brown.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for certain alternative fuel refueling properties.

SB 835—By Brown.

An Act to repeal sections 311.089, 311.096, 311.174, 311.176, 311.178, 311.179, 311.200, 311.293, 311.480, 311.482, and 311.710, RSMo, and to enact in lieu thereof eleven new sections relating to extended hours for the sale of intoxicating liquor, with existing penalty provisions.

SB 836—By Onder.

An Act to repeal sections 191.671, 376.385, 376.429, 376.446, 376.452, 376.454, 376.779, 376.781, 376.782, 376.811, 376.845, 376.1199, 376.1200, 376.1209, 376.1210, 376.1215, 376.1218, 376.1219, 376.1220, 376.1224, 376.1225, 376.1230, 376.1232, 376.1235, 376.1237, 376.1250, 376.1253, 376.1257, 376.1275, 376.1290, 376.1400, 376.1550, and 376.1900, RSMo, and to enact in lieu thereof thirty-four new sections relating to short-term major medical insurance policies.

SB 837—By White.

An Act to repeal section 50.327, RSMo, and to enact in lieu thereof one new section relating to salaries of county coroners.

SB 838—By White.

An Act to repeal section 552.020, RSMo, and to enact in lieu thereof one new section relating to the discharge of certain committed persons.

SB 839—By Wallingford.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the workforce diploma program.

CONCURRENT RESOLUTIONS

Senator Luetkemeyer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 28

Whereas, in the spring of 1843, nearly 1,000 people left from Fitzhugh's Mills, Missouri, bound for Oregon; and

Whereas, this led to the first significant start of a western migration that would involve approximately 500,000 pioneers; and

Whereas, other trading posts and towns emerged as jumping off sites for those headed west, including Independence, Missouri, St. Joseph, Missouri, and Council Bluffs, Iowa; and

Whereas, St. Joseph emerged as the major starting point for these pioneers and wagon trains. The town's early success as a trading post led to it becoming a center of commerce, communication, and trade, along with a booming population. St. Joseph had a well established ferry and steamboat operation for crossing the Missouri River with wagons and livestock, as well as the most established center of commerce west of St. Louis at that time, complete with general stores and mercantiles from which emigrants could obtain equipment and supplies for the five month journey west; and

Whereas, the banks of the Missouri River and the surrounding community of St. Joseph became the gathering point for family and friends to form their trains, hire or appoint a trail boss, and work out final logistics before crossing the Missouri River into the vastness of the open plains and prairies; and

Whereas, it has been estimated that over 200,000 pioneers launched from St. Joseph; and

Whereas, in 1853, St. Joseph became the western terminus for the telegraph; and

Whereas, in 1859, St. Joseph became the western terminus for the railroad with the arrival of the Hannibal and St. Joseph Railroad. Additionally, in 1860, St. Joseph was the eastern terminus for transcontinental communication with the start of the Pony Express:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize St. Joseph, Missouri, as the beginning of the Oregon Trail.

Senator Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 29

Relating to the joint committee on solid waste management district operations.

Whereas, the Joint Committee on Solid Waste Management District Operations was originally established pursuant to Senate Concurrent Resolution 17 during the Second Regular Session of the Ninety-seventh General Assembly; and

Whereas, Senate Concurrent Resolution 17 established the Joint Committee on Solid Waste Management District Operations to examine solid waste management district operations, including but not limited to efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers; and

Whereas, the Joint Committee on Solid Waste Management District Operations heard testimony from individuals, business owners, and various interested parties during September and December 2014; and

Whereas, after review and consideration of the testimony presented, the Joint Committee on Solid Waste Management District Operations considered multiple legislative proposals relating to solid waste; and

Whereas, the Joint Committee on Solid Waste Management District Operations held a public hearing on December 3, 2014, to receive comments on a draft Senate bill relating to solid waste; and

Whereas, the draft Senate bill was discussed and received support from multiple stakeholders, and such draft bill was filed by Senator Wallingford as Senate Bill 152 during the Ninety-eighth General Assembly, First Regular Session; and

Whereas, the provisions of Senate Bill 152 were truly agreed to and finally passed in Senate Bill 445 sponsored by Senator Romine during the Ninety-eighth General Assembly, First Regular Session; and

Whereas, the Joint Committee on Solid Waste Management District Operations dissolved on December 31, 2014, but had further hearings to conduct and additional legislative alternatives to research, and was reauthorized by the General Assembly by Senate Concurrent Resolution 3 during the Ninety-eighth General Assembly, First Regular Session; and

Whereas, the Joint Committee on Solid Waste Management District Operations dissolved on December 31, 2016, but has further hearings to conduct relating to the implementation of the provisions of Senate Bill 445, as well as additional legislative alternatives relating to solid waste management district operations to research:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Committee on Solid Waste Management District Operations" to examine solid waste management district operations, including but not limited to efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers, and the implementation of the provisions of Senate Bill 445; and

Be It Further Resolved that the Joint Committee on Solid Waste Management District Operations shall be composed of five members of the Senate, with no more than three members of one party, and five members of the House of Representatives, with no more than three members of one party. The Senate members of the Joint Committee shall be appointed by the President Pro Tempore of the Senate and the House members by the Speaker of the House of Representatives. A vacancy on the committee shall be filled in the same manner as the original appointment. The Joint Committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the Senate and one a member of the House of Representatives. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as the chairperson or co-chairpersons designate; and

Be It Further Resolved that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate, as well as the Department of Natural Resources and representatives of solid waste management districts, but is not authorized to hire additional staff; and

Be It Further Resolved that the Joint Committee may prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the General Assembly by December 31, 2025, at which time the Joint Committee shall be dissolved; and

Be It Further Resolved that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

Be It Further Resolved that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee

incurred by the Joint Committee shall be paid by the Joint Contingent Fund; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 984, regarding Kohfeld Distributing, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 985, regarding Michael Tornetto, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 986, regarding Nathan Gautier, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 987, regarding Leet EyeCare, which was adopted.

Senator Sater offered Senate Resolution No. 988, regarding Haliena Brown, which was adopted.

Senator Sater offered Senate Resolution No. 989, regarding Cassville High School football team, which was adopted.

Senator Sater offered Senate Resolution No. 990, regarding the Sixtieth Wedding Anniversary of Roy and Lettie Foss, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 991, regarding the Fiftieth Wedding Anniversary of Larry and Doris Lambeth, Noel, which was adopted.

Senator Sater offered Senate Resolution No. 992, regarding Brenden Kleiboeker, Scotts City, which was adopted.

Senator Sater offered Senate Resolution No. 993, regarding Kensie Darst, Aurora, which was adopted.

INTRODUCTION OF GUESTS

Senator Libla introduced to the Senate, his wife, Elaine, Poplar Bluff.

Senator Wallingford introduced to the Senate, his wife, Suzy, Cape Girardeau.

Senator Williams introduced to the Senate, Payton Kearnes, University of Missouri; and Adam Brewster, University of Central Missouri.

The President introduced to the Senate, Amy Berendzen, Holts Summit; and Henry Herschel, Jefferson City.

SENATE CALENDAR

SECOND DAY—THURSDAY, JANUARY 9, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 519-Curls

SB 520-Curls

SB 521-Curls
SB 522-Sater
SB 523-Sater
SB 524-Sater
SB 525-Emery
SB 526-Emery
SB 527-Emery
SB 528-Cunningham
SB 529-Cunningham
SB 530-Cunningham
SB 531-Wallingford
SB 532-Wallingford
SB 533-Walllingford
SB 534-Romine
SB 535-Romine
SB 536-Romine
SB 537-Libla
SB 538-Libla
SB 539-Libla
SB 540-Walsh
SB 541-Nasheed
SB 542-Nasheed
SB 543-Nasheed
SB 544-Holsman
SB 545-Sifton
SB 546-Sifton
SB 547-Sifton
SB 548-Hegeman
SB 549-Hegeman
SB 550-Hegeman
SB 551-Wieland
SB 552-Wieland
SB 553-Wieland
SB 554-Riddle
SB 555-Riddle
SB 556-Riddle
SB 557-Schatz
SB 558-Schatz
SB 559-Schatz
SB 560-Onder
SB 561-Onder

SB 562-Onder
SB 563-Schupp
SB 564-Schupp
SB 565-Schupp
SB 566-Hoskins
SB 567-Hoskins
SB 568-Hoskins
SB 569-Koenig
SB 570-Koenig
SB 571-Koenig
SB 572-Rowden
SB 573-Eigel
SB 574-Eigel
SB 575-Eigel
SB 576-Crawford
SB 577-Crawford
SB 578-Crawford
SB 579-Cierpiot
SB 580-Cierpiot
SB 581-Cierpiot
SB 582-Arthur
SB 583-Arthur
SB 584-Arthur
SB 585-Bernskoetter
SB 586-Bernskoetter
SB 587-Bernskoetter
SB 588-Burlison
SB 589-Burlison
SB 590-Burlison
SB 591-White
SB 592-White
SB 593-White
SB 594-Hough
SB 595-Hough
SB 596-Hough
SB 597-Brown
SB 598-Brown
SB 599-Brown
SB 600-Luetkemeyer
SB 601-Luetkemeyer
SB 602-Luetkemeyer

SB 603-O'Laughlin	SB 644-Hoskins
SB 604-O'Laughlin	SB 645-Hoskins
SB 605-O'Laughlin	SB 646-Koenig
SB 606-May	SB 647-Koenig
SB 607-May	SB 648-Koenig
SB 608-May	SB 649-Eigel
SB 609-Sater	SB 650-Eigel
SB 610-Sater	SB 651-Eigel
SB 611-Sater	SB 652-Crawford
SB 612-Emery	SB 653-Crawford
SB 613-Emery	SB 654-Crawford
SB 614-Emery	SB 655-Cierpiot
SB 615-Cunningham	SB 656-Cierpiot
SB 616-Cunningham	SB 657-Arthur
SB 617-Cunningham	SB 658-Arthur
SB 618-Wallingford	SB 659-Arthur
SB 619-Wallingford	SB 660-Bernskoetter
SB 620-Wallingford	SB 661-Bernskoetter
SB 621-Romine	SB 662-Bernskoetter
SB 622-Romine	SB 663-Burlison
SB 623-Libla	SB 664-Burlison
SB 624-Libla	SB 665-Burlison
SB 625-Libla	SB 666-White
SB 626-Nasheed	SB 667-White
SB 627-Nasheed	SB 668-White
SB 628-Sifton	SB 669-Hough
SB 629-Sifton	SB 670-Hough
SB 630-Sifton	SB 671-Hough
SB 631-Hegeman	SB 672-Brown
SB 632-Hegeman	SB 673-Brown
SB 633-Hegeman	SB 674-Brown
SB 634-Wieland	SB 675-Luetkemeyer
SB 635-Wieland	SB 676-Luetkemeyer
SB 636-Wieland	SB 677-Luetkemeyer
SB 637-Riddle	SB 679-O'Laughlin
SB 638-Riddle	SB 680-O'Laughlin
SB 639-Riddle	SB 681-May
SB 640-Onder	SB 682-May
SB 641-Onder	SB 683-May
SB 642-Onder	SB 684-Sater
SB 643-Hoskins	SB 685-Sater

SB 686-Sater	SB 727-Luetkemeyer
SB 687-Emery	SB 728-Luetkemeyer
SB 688-Emery	SB 729-Sater
SB 689-Emery	SB 730-Sater
SB 690-Cunningham	SB 731-Sater
SB 691-Cunningham	SB 732-Emery
SB 692-Cunningham	SB 733-Emery
SB 693-Wallingford	SB 734-Emery
SB 694-Wallingford	SB 735-Sifton
SB 695-Sifton	SB 736-Sifton
SB 696-Sifton	SB 737-Sifton
SB 697-Sifton	SB 738-Onder
SB 698-Wieland	SB 739-Onder
SB 699-Riddle	SB 740-Onder
SB 700-Onder	SB 741-Koenig
SB 701-Onder	SB 742-Koenig
SB 702-Onder	SB 743-Eigel
SB 703-Hoskins	SB 744-Eigel
SB 704-Hoskins	SB 745-Burlison
SB 705-Koenig	SB 746-Burlison
SB 706-Koenig	SB 747-Burlison
SB 707-Koenig	SB 748-White
SB 708-Eigel	SB 749-White
SB 709-Eigel	SB 750-White
SB 710-Eigel	SB 751-Hough
SB 711-Arthur	SB 752-Brown
SB 712-Arthur	SB 753-Brown
SB 713-Arthur	SB 754-Luetkemeyer
SB 714-Burlison	SB 755-Sater
SB 715-Burlison	SB 756-Sifton
SB 716-Burlison	SB 757-Onder
SB 717-White	SB 758-Onder
SB 718-White	SB 759-Onder
SB 719-White	SB 760-Burlison
SB 720-Hough	SB 761-Burlison
SB 721-Hough	SB 762-Burlison
SB 722-Hough	SB 763-White
SB 723-Brown	SB 764-Onder
SB 724-Brown	SB 765-Onder
SB 725-Brown	SB 766-Onder
SB 726-Luetkemeyer	SB 767-Burlison

SB 768-Onder	SB 809-Brown
SB 769-Burlison	SB 810-Luetkemeyer
SB 770-Hough	SB 811-Luetkemeyer
SB 771-Wallingford	SB 812-Sater
SB 772-Romine	SB 813-Sater
SB 773-Riddle	SB 814-Nasheed
SB 774-Brown	SB 815-Eigel
SB 775-Schatz	SB 816-Crawford
SB 776-Cunningham	SB 817-Crawford
SB 777-Wallingford	SB 818-Wallingford
SB 778-Hoskins	SB 819-Wallingford
SB 779-Crawford	SB 820-Burlison
SB 780-Hough	SB 821-Hough
SB 781-Brown	SB 822-Wallingford
SB 782-Brown	SB 823-Wallingford
SB 783-Brown	SB 824-Wallingford
SB 784-Wallingford	SB 825-Libla
SB 785-Koenig	SB 826-White
SB 786-Romine	SB 827-White
SB 787-Romine	SB 828-Hough
SB 788-Schupp	SB 829-Hough
SB 789-Schupp	SB 830-Cunningham
SB 790-Schupp	SB 831-Cunningham
SB 791-Eigel	SB 832-Cunningham
SB 792-Eigel	SB 833-Luetkemeyer
SB 793-Koenig	SB 834-Brown
SB 794-Eigel	SB 835-Brown
SB 795-Hough	SB 836-Onder
SRB 796-Hough	SB 837-White
SB 797-Wieland	SB 838-White
SB 798-Hoskins	SB 839-Wallingford
SB 799-Schupp	SJR 31-Sater
SB 800-Schupp	SJR 32-Sater
SB 801-Koenig	SJR 33-Emery
SB 802-Hegeman	SJR 34-Libla
SB 803-Crawford	SJR 35-Nasheed
SB 804-Cunningham	SJR 36-Holsman
SB 805-Hoskins	SJR 37-Holsman
SB 806-Koenig	SJR 38-Hegeman
SB 807-Crawford	SJR 39-Hegeman
SB 808-Crawford	SJR 40-Koenig

SJR 41-Koenig
SJR 42-Eigel
SJR 43-Eigel
SJR 44-Eigel
SJR 45-Cierpiot
SJR 46-Cierpiot
SJR 47-Cierpiot
SJR 48-Luetkemeyer

SJR 49-O'Laughlin
SJR 50-O'Laughlin
SJR 51-May
SJR 52-Eigel
SJR 53-Eigel
SJR 54-Eigel
SJR 55-Eigel

INFORMAL CALENDAR

RESOLUTIONS

HCR 57-Vescovo (Rowden)

HCR 58-Vescovo (Rowden)

To be Referred

SCR 28-Luetkemeyer

SCR 29-Wallingford

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Journal of the Senate

SECOND REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 9, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“May prayer be made for him continually and blessings invoked for him all day long.” (Psalm 72:15b)

We pray to You, O Lord, that we who are gathered here may have Your blessings and our work and time be fruitful. Watch over our going out and coming in this day and bring us safely home to our loved ones and be found in Your house of prayer this weekend. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Rowden announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 994, regarding Mike Elam, Dardenne Prairie, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 995, regarding Luke Edward Brown, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 996, regarding Braedon Thomas Buttron, Kansas City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 997, regarding Aiden Richard Carrizzo, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 998, regarding Avery Cole Doggett, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 999, regarding Owen Eugene Mustain, Kansas City, which was adopted.

Senator Hoskins offered Senate Resolution No. 1000, regarding Trevor Peter Tart, Warrensburg, which was adopted.

Senator Libla offered Senate Resolution No. 1001, regarding Oak Grove Elementary School, which was adopted.

Senator Libla offered Senate Resolution No. 1002, regarding Christy Frazier-Moore, Poplar Bluff, which was adopted.

Senator Crawford offered Senate Resolution No. 1003, regarding Patricia “Pete” Hallack, Fristoe, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schupp offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 30

Whereas, suicide is a serious and tragic public health problem that can be prevented through increased intervention, awareness, resources, and proper treatment; and

Whereas, suicide can affect all Americans, but data shows that active duty service members and veterans die by suicide at much higher rates than the civilian population and that veteran suicide rates in Missouri are significantly higher than the national average; and

Whereas, the United States Department of Veteran Affairs published that an estimated 22 veterans die by suicide every day; and

Whereas, this body must recognize that this tragic epidemic is taking the lives of those who have most heavily carried the burden of protecting and serving their country; and

Whereas, in an effort to prevent suicides, the Buddy Check 22 program was created to support veterans by encouraging people to call and check in with their “buddies” who are veterans on the 22nd day of each month; and

Whereas, this body recognizes that having a support system and social connectedness promotes good mental health and reduces risk of suicide; and

Whereas, a check-in allows veterans to know they are cared for and that help is available during a mental health crisis or in times of need; and

Whereas, this body endeavors to promote awareness of the problem of suicide facing military personnel, and encourages active duty service members, veterans, service providers, advocates, and the people of the State of Missouri to work together to check in on veterans and to continue to educate the public on how to recognize the warning signs and improve the outreach to, and treatment of, individuals at risk for suicide:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the 22nd day of each month as Buddy Check 22 Day in Missouri to promote education and awareness of the problem of suicide facing military personnel.

Be It Further Resolved that this resolution shall be known and may be cited as “Veteran Suicide Prevention Resolution”.

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 31

Whereas, pornography perpetuates a sexually toxic environment; and

Whereas, efforts to prevent pornography exposure and addiction, to educate individuals and families concerning its harms, and to develop recovery programs should be addressed systematically in ways that hold broader influences accountable; and

Whereas, pornography may contribute to the hypersexualization of teenagers, and even prepubescent children, in our society; and

Whereas, owing to advances in technology and the universal availability of the internet, young children can be exposed to what used to be referred to as hardcore, but is now considered mainstream, pornography at an alarming rate; and

Whereas, the average age of exposure to pornography is now 11 to 12 years of age; and

Whereas, this early exposure can lead to low self-esteem and body image disorders, an increase in problematic sexual activity at younger ages, and an increased desire among adolescents to engage in risky sexual behavior; and

Whereas, exposure to pornography may serve as children's and youth's sex education and may shape their sexual templates; and

Whereas, pornography may normalize violence and abuse; and

Whereas, pornography often depicts rape and abuse as if such acts are harmless; and

Whereas, pornography equates violence with sex and pain with pleasure, which increases the demand for sex trafficking, prostitution, images of child sexual abuse, and child pornography; and

Whereas, use of pornography can potentially negatively affect brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, and lead to difficulty in forming or maintaining intimate relationships as well as problematic or harmful sexual behaviors and addiction; and

Whereas, use of pornography, by either partner, is linked to an increased likelihood that individuals will engage in group intercourse; and

Whereas, recent research indicates that pornography is potentially biologically addictive, which means the user requires more novelty, often in the form of more shocking material, in order to be satisfied; and

Whereas, this biological addiction may lead to increasing themes of risky sexual behaviors, extreme degradation, violence, child sexual abuse, and child pornography; and

Whereas, pornography use is linked to lessening desire to marry, dissatisfaction in marriage, and infidelity; and

Whereas, this link demonstrates that pornography has a detrimental effect on the family unit:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize pornography as leading to individual and societal harms and recognize the need for education, prevention, research, and policy change at the community and societal level.

Senator Bernskoetter offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 32

Whereas, more than 81,900 United States service members remain unaccounted for from World War II, the Korean War, the Vietnam War, and the Cold War, of which 2,298 are Missourians; and

Whereas, for more than seventy years the families of those missing have been deprived of the peace that comes with laying to rest the remains of a loved one or at least knowing that loved one's fate; and

Whereas, the basic principle of national honor in the Armed Forces of the United States of America is that the United States leaves no one behind; and

Whereas, the United States has an obligation to the missing and to their families to enforce this principle and provide information and answers; and

Whereas, in 1993, the United States Senate Select Committee on POW/MIA Affairs noted in its final report that declassifying the records related to POWs and MIAs could have eliminated much of the controversy and unnecessary secrecy surrounding the United States government's handling of the POW/MIA issues, which bred suspicion and distrust; and

Whereas, federal statutes and multiple presidential executive orders have called for the declassification of records relating to POWs and MIAs, but such mandates have been limited in scope, lacked enforcement mechanisms, and included broad exceptions that have been routinely cited by federal agencies as justification for continued classification of documents; and

Whereas, all government agencies should be directed by Congress and the Executive Branch of the United States to identify, locate, review, and declassify this vital information, subject to reasonable standards and limitations; and

Whereas, declassification and availability of these records would allow families of the missing and others in the private sector to conduct research, gain relevant information, and, thereby, hold the federal government accountable; and

Whereas, investigation and diplomatic efforts between the United States and wartime adversaries such as Russia, China, North Korea, and countries of Southeast Asia have yielded little to no public information about the status of missing American service personnel who were reportedly captured alive but not returned to the United States; and

Whereas, the “Bring Our Heroes Home Act”, which has been introduced in the United States Senate as Senate Bill 2794 (2019), sponsored by Senator Mike Crapo (R-ID), sets forth an integrated process for comprehensive declassification of records pertaining to missing Armed Forces personnel records, subject to legitimate limitations and exceptions:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby call on the Missouri members of the United States Senate to support and contribute to the early consideration and passage of the “Bring Our Heroes Home Act”; and

Be It Further Resolved that the members of the Missouri General Assembly hereby call on all members of the Missouri Congressional delegation to lend their influence to the cause of resolving the cases of all Missourians who remain unaccounted for from past conflicts; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 840—By Arthur.

An Act to repeal section 99.805, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 841—By Arthur.

An Act to repeal section 376.782, RSMo, and to enact in lieu thereof one new section relating to insurance coverage for breast cancer.

SB 842—By Emery.

An Act to repeal sections 568.060 and 578.421, RSMo, and to enact in lieu thereof two new sections relating to the offense of abuse or neglect of a child, with penalty provisions.

SB 843—By Burlison.

An Act to amend chapter 379, RSMo, by adding thereto nine new sections relating to group personal lines property and casualty insurance.

SB 844—By Burlison.

An Act to repeal section 566.150, RSMo, and to enact in lieu thereof one new section relating to the proximity of registered sex offenders to certain properties, with existing penalty provisions.

SB 845—By Burlison.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

SB 846—By Sater.

An Act to repeal section 192.2305, RSMo, and to enact in lieu thereof one new section relating to the office of state ombudsman for long-term care facility residents.

SB 847—By Eigel.

An Act to repeal sections 143.124 and 143.125, RSMo, and to enact in lieu thereof two new sections relating to income tax.

SB 848—By Eigel.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to gender reassignment for children under eighteen years of age.

SB 849—By Eigel.

An Act to repeal section 103.080, RSMo, and to enact in lieu thereof one new section relating to the Missouri consolidated health care plan.

SB 850—By O’Laughlin.

An Act to repeal section 376.383, RSMo, and to enact in lieu thereof one new section relating to the prompt payment of health insurance claims.

SB 851—By O’Laughlin.

An Act to authorize the conveyance of property owned by the state in Pike County to the state highways and transportation commission.

SB 852—By Hegeman.

An Act to repeal section 351.030, RSMo, and to enact in lieu thereof one new section relating to certain corporations supplying telephone and telecommunications services.

SB 853—By Crawford.

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to MO HealthNet services for certain children with disabilities.

SB 854—By Crawford.

An Act to repeal section 115.621, RSMo, and to enact in lieu thereof one new section relating to senatorial district committees.

SB 855—By Wieland.

An Act to repeal sections 478.240, 483.240, 483.241, and 483.245, RSMo, and to enact in lieu thereof four new sections relating to circuit clerks.

SB 856—By Wieland.

An Act to repeal sections 319.129, 319.131, and 319.133, RSMo, and to enact in lieu thereof three new sections relating to the petroleum storage tank insurance fund.

SJR 56—Burlison.

Joint Resolution Submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property taxation.

SJR 57—By Onder.

Joint Resolution Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7, of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

REFERRALS

President Pro Tem Schatz referred **SCR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 29—Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

**SENATE HEARING SCHEDULE
100th GENERAL ASSEMBLY
SECOND REGULAR SESSION
JANUARY 9, 2020**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Government Reform SCR 1 (Emery) Ways and Means SL (Koenig) Appropriations SCR 2 (Hegeman)	Seniors, Families and Children SL (Sater) Insurance & Banking SCR 1 (Wieland) Appropriations SCR 2 (Hegeman)	Transportation, Infrastructure and Public Safety SL (Libla) Small Business & Industry SCR 1 (Hoskins) Appropriations SCR 2 (Hegeman)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Rowden)		Fiscal Oversight Bingham Conference Room (Cunningham)
10:30 a.m.		General Laws SL (Eigel) Economic Development SCR 1 (Cierpiot)	Gubernatorial Appointments SL (Schatz) Health and Pensions SCR 1 (Onder)	
12:00 p.m.		Veterans & Military Affairs SCR 1 (White) Education SL (Romine)	Commerce, Consumer Protection, Energy and the Environment SL (Wallingford) Local Government & Elections SCR 1 (Crawford)	
1:00 p.m.		Progress and Development SCR 1 (Walsh)		
2:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SCR 1 (Luetkemeyer) Professional Registration SL (Riddle) Agriculture, Food Production and Outdoor Resources SCR 2 (Bernskoetter)			

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

- SB 519**—Judiciary and Civil and Criminal Jurisprudence.
- SB 520**—Judiciary and Civil and Criminal Jurisprudence.
- SB 521**—General Laws.
- SB 522**—Local Government and Elections.
- SB 523**—Health and Pensions.
- SB 524**—Seniors, Families and Children.
- SB 525**—Government Reform.
- SB 526**—Commerce, Consumer Protection, Energy and the Environment.
- SB 527**—Government Reform.
- SB 528**—Education.
- SB 529**—Local Government and Elections.
- SB 530**—Government Reform.
- SB 531**—Seniors, Families and Children.
- SB 532**—Transportation, Infrastructure and Public Safety.
- SB 533**—Health and Pensions.
- SB 534**—Education.
- SB 535**—Commerce, Consumer Protection, Energy and the Environment.
- SB 536**—Education.
- SB 537**—Transportation, Infrastructure and Public Safety.
- SB 538**—Judiciary and Civil and Criminal Jurisprudence.
- SB 539**—Transportation, Infrastructure and Public Safety.
- SB 540**—Judiciary and Civil and Criminal Jurisprudence.
- SB 541**—Judiciary and Civil and Criminal Jurisprudence.
- SB 542**—Judiciary and Civil and Criminal Jurisprudence.
- SB 543**—Transportation, Infrastructure and Public Safety.
- SB 544**—Progress and Development.
- SB 545**—Small Business and Industry.
- SB 546**—Rules, Joint Rules, Resolutions and Ethics.
- SB 547**—Ways and Means.

- SB 548**—Appropriations.
- SB 549**—Appropriations.
- SB 550**—Economic Development.
- SB 551**—Insurance and Banking.
- SB 552**—Rules, Joint Rules, Resolutions and Ethics.
- SB 553**—Insurance and Banking.
- SB 554**—Professional Registration.
- SB 555**—Government Reform.
- SB 556**—Judiciary and Civil and Criminal Jurisprudence.
- SB 557**—Government Reform.
- SB 558**—Local Government and Elections.
- SB 559**—Professional Registration.
- SB 560**—Veterans and Military Affairs.
- SB 561**—Judiciary and Civil and Criminal Jurisprudence.
- SB 562**—Judiciary and Civil and Criminal Jurisprudence.
- SB 563**—Transportation, Infrastructure and Public Safety.
- SB 564**—Health and Pensions.
- SB 565**—Small Business and Industry.
- SB 566**—Appropriations.
- SB 567**—Appropriations.
- SB 568**—Agriculture, Food Production and Outdoor Resources.
- SB 569**—Judiciary and Civil and Criminal Jurisprudence.
- SB 570**—Ways and Means.
- SB 571**—Local Government and Elections.
- SB 572**—Transportation, Infrastructure and Public Safety.
- SB 573**—Ways and Means.
- SB 574**—Ways and Means.
- SB 575**—General Laws.
- SB 576**—Local Government and Elections.
- SB 577**—Insurance and Banking.
- SB 578**—Local Government and Elections.
- SB 579**—Ways and Means.

SB 580—Seniors, Families and Children.

SB 581—Ways and Means.

SB 582—Education.

SB 583—Ways and Means.

SB 584—Seniors, Families and Children.

SB 585—Local Government and Elections.

SB 586—Economic Development.

SB 587—General Laws.

SB 588—Transportation, Infrastructure and Public Safety.

SB 589—General Laws.

SB 590—Transportation, Infrastructure and Public Safety.

SB 591—Government Reform.

SB 592—Commerce, Consumer Protection, Energy and the Environment.

SB 593—General Laws.

SB 594—Economic Development.

SB 595—Appropriations.

SB 596—Local Government and Elections.

SB 597—Commerce, Consumer Protection, Energy and the Environment.

SB 598—General Laws.

SB 599—Insurance and Banking.

SB 600—Judiciary and Civil and Criminal Jurisprudence.

SB 601—Judiciary and Civil and Criminal Jurisprudence.

SB 602—Judiciary and Civil and Criminal Jurisprudence.

SB 603—Government Reform.

SB 604—Commerce, Consumer Protection, Energy and the Environment.

SB 605—Small Business and Industry.

SB 606—Professional Registration.

SB 607—Small Business and Industry.

SB 608—Commerce, Consumer Protection, Energy and the Environment.

SJR 31—Local Government and Elections.

SJR 32—Seniors, Families and Children.

SJR 33—Judiciary and Civil and Criminal Jurisprudence.

SJR 34—Commerce, Consumer Protection, Energy and the Environment.

SJR 35—Rules, Joint Rules, Resolutions and Ethics.

SJR 36—Ways and Means.

SJR 37—Rules, Joint Rules, Resolutions and Ethics.

SJR 38—Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Schatz re-referred **SB 549** to the Committee on Economic Development.

RESOLUTIONS

Senator White offered Senate Resolution No. 1004, regarding Larry Hartman, Carthage, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Warren Lovinger, Nevada.

Senator Schupp introduced to the Senate, Lyndsey Willyerd, Chesterfield.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, January 13, 2020.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 13, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 609-Sater	SB 620-Wallingford
SB 610-Sater	SB 621-Romine
SB 611-Sater	SB 622-Romine
SB 612-Emery	SB 623-Libla
SB 613-Emery	SB 624-Libla
SB 614-Emery	SB 625-Libla
SB 615-Cunningham	SB 626-Nasheed
SB 616-Cunningham	SB 627-Nasheed
SB 617-Cunningham	SB 628-Sifton
SB 618-Wallingford	SB 629-Sifton
SB 619-Wallingford	SB 630-Sifton

SB 631-Hegeman	SB 672-Brown
SB 632-Hegeman	SB 673-Brown
SB 633-Hegeman	SB 674-Brown
SB 634-Wieland	SB 675-Luetkemeyer
SB 635-Wieland	SB 676-Luetkemeyer
SB 636-Wieland	SB 677-Luetkemeyer
SB 637-Riddle	SB 679-O'Laughlin
SB 638-Riddle	SB 680-O'Laughlin
SB 639-Riddle	SB 681-May
SB 640-Onder	SB 682-May
SB 641-Onder	SB 683-May
SB 642-Onder	SB 684-Sater
SB 643-Hoskins	SB 685-Sater
SB 644-Hoskins	SB 686-Sater
SB 645-Hoskins	SB 687-Emery
SB 646-Koenig	SB 688-Emery
SB 647-Koenig	SB 689-Emery
SB 648-Koenig	SB 690-Cunningham
SB 649-Eigel	SB 691-Cunningham
SB 650-Eigel	SB 692-Cunningham
SB 651-Eigel	SB 693-Wallingford
SB 652-Crawford	SB 694-Wallingford
SB 653-Crawford	SB 695-Sifton
SB 654-Crawford	SB 696-Sifton
SB 655-Cierpiot	SB 697-Sifton
SB 656-Cierpiot	SB 698-Wieland
SB 657-Arthur	SB 699-Riddle
SB 658-Arthur	SB 700-Onder
SB 659-Arthur	SB 701-Onder
SB 660-Bernskoetter	SB 702-Onder
SB 661-Bernskoetter	SB 703-Hoskins
SB 662-Bernskoetter	SB 704-Hoskins
SB 663-Burlison	SB 705-Koenig
SB 664-Burlison	SB 706-Koenig
SB 665-Burlison	SB 707-Koenig
SB 666-White	SB 708-Eigel
SB 667-White	SB 709-Eigel
SB 668-White	SB 710-Eigel
SB 669-Hough	SB 711-Arthur
SB 670-Hough	SB 712-Arthur
SB 671-Hough	SB 713-Arthur

SB 714-Burlison	SB 755-Sater
SB 715-Burlison	SB 756-Sifton
SB 716-Burlison	SB 757-Onder
SB 717-White	SB 758-Onder
SB 718-White	SB 759-Onder
SB 719-White	SB 760-Burlison
SB 720-Hough	SB 761-Burlison
SB 721-Hough	SB 762-Burlison
SB 722-Hough	SB 763-White
SB 723-Brown	SB 764-Onder
SB 724-Brown	SB 765-Onder
SB 725-Brown	SB 766-Onder
SB 726-Luetkemeyer	SB 767-Burlison
SB 727-Luetkemeyer	SB 768-Onder
SB 728-Luetkemeyer	SB 769-Burlison
SB 729-Sater	SB 770-Hough
SB 730-Sater	SB 771-Wallingford
SB 731-Sater	SB 772-Romine
SB 732-Emery	SB 773-Riddle
SB 733-Emery	SB 774-Brown
SB 734-Emery	SB 775-Schatz
SB 735-Sifton	SB 776-Cunningham
SB 736-Sifton	SB 777-Wallingford
SB 737-Sifton	SB 778-Hoskins
SB 738-Onder	SB 779-Crawford
SB 739-Onder	SB 780-Hough
SB 740-Onder	SB 781-Brown
SB 741-Koenig	SB 782-Brown
SB 742-Koenig	SB 783-Brown
SB 743-Eigel	SB 784-Wallingford
SB 744-Eigel	SB 785-Koenig
SB 745-Burlison	SB 786-Romine
SB 746-Burlison	SB 787-Romine
SB 747-Burlison	SB 788-Schupp
SB 748-White	SB 789-Schupp
SB 749-White	SB 790-Schupp
SB 750-White	SB 791-Eigel
SB 751-Hough	SB 792-Eigel
SB 752-Brown	SB 793-Koenig
SB 753-Brown	SB 794-Eigel
SB 754-Luetkemeyer	SB 795-Hough

SRB 796-Hough	SB 836-Onder
SB 797-Wieland	SB 837-White
SB 798-Hoskins	SB 838-White
SB 799-Schupp	SB 839-Wallingford
SB 800-Schupp	SB 840-Arthur
SB 801-Koenig	SB 841-Arthur
SB 802-Hegeman	SB 842-Emery
SB 803-Crawford	SB 843-Burlison
SB 804-Cunningham	SB 844-Burlison
SB 805-Hoskins	SB 845-Burlison
SB 806-Koenig	SB 846-Sater
SB 807-Crawford	SB 847-Eigel
SB 808-Crawford	SB 848-Eigel
SB 809-Brown	SB 849-Eigel
SB 810-Luetkemeyer	SB 850-O'Laughlin
SB 811-Luetkemeyer	SB 851-O'Laughlin
SB 812-Sater	SB 852-Hegeman
SB 813-Sater	SB 853-Crawford
SB 814-Nasheed	SB 854-Crawford
SB 815-Eigel	SB 855-Wieland
SB 816-Crawford	SB 856-Wieland
SB 817-Crawford	SJR 39-Hegeman
SB 818-Wallingford	SJR 40-Koenig
SB 819-Wallingford	SJR 41-Koenig
SB 820-Burlison	SJR 42-Eigel
SB 821-Hough	SJR 43-Eigel
SB 822-Wallingford	SJR 44-Eigel
SB 823-Wallingford	SJR 45-Cierpiot
SB 824-Wallingford	SJR 46-Cierpiot
SB 825-Libla	SJR 47-Cierpiot
SB 826-White	SJR 48-Luetkemeyer
SB 827-White	SJR 49-O'Laughlin
SB 828-Hough	SJR 50-O'Laughlin
SB 829-Hough	SJR 51-May
SB 830-Cunningham	SJR 52-Eigel
SB 831-Cunningham	SJR 53-Eigel
SB 832-Cunningham	SJR 54-Eigel
SB 833-Luetkemeyer	SJR 55-Eigel
SB 834-Brown	SJR 56-Burlison
SB 835-Brown	SJR 57-Onder

INFORMAL CALENDAR

RESOLUTIONS

HCR 57-Vescovo (Rowden)

HCR 58-Vescovo (Rowden)

To be Referred

SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter

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Journal of the Senate

SECOND REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 13, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“The clouds poured out water, the skies thundered; your arrows flashed on every side.” (Psalm 77:17)

Heavenly Father, we pray for those whose lives were torn apart by the storms and tornadoes that struck here in Missouri and our neighbors. We ask You to help us as we do what we can to offer aide and care for those in distress and for Your merciful presence in the lives of all who are in need of help.

O Lord, we are grateful for our safe travel this day and we are blessed to know You as our Lord. Be with us this week and bless our efforts to be faithful to our calling. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 9, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators

Onder	Riddle	Walsh—3
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Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1005, regarding the death of Charles McCormick, which was adopted.

Senator Cunningham offered Senate Resolution No. 1006, regarding the One Hundredth Birthday of Oma Luallen, Cabool, which was adopted.

Senator Rowden offered Senate Resolution No. 1007, regarding Melissa Fike, which was adopted.

Senator Rowden offered Senate Resolution No. 1008, regarding Katherine Thompson, Columbia, which was adopted.

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 1009, regarding Drew Kientzy, Silex, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1010, regarding Natalie Koch, Bland, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1011, regarding Jacob Daniel Knaebel, Westphalia, which was adopted.

Senator Emery offered Senate Resolution No. 1012, regarding Alexandra Gast, Nevada, which was adopted.

Senator Emery offered Senate Resolution No. 1013, regarding Matthew Morgan, Lamar, which was adopted.

Senator Hoskins offered Senate Resolution No. 1014, regarding Jacob D. Hall, Marshall, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1015, regarding the One Hundredth Birthday of William Kenneth Mallory, Bowling Green, which was adopted.

Senator Sifton offered Senate Resolution No. 1016, regarding Ethan J. Musial, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 1017, regarding Private Thomas Mullins, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1018, regarding Officer Jerry Ball, Imperial, which was adopted.

Senator Sifton offered Senate Resolution No. 1019, regarding Robert E. Burtelow, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1020, regarding Robert P. Hehmeyer, Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 1021, regarding Carrie Carrigan, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1022, regarding Trey Fisk, Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 1023, regarding Lisa Rivers, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1024, regarding Jenny Wurth, Columbia, Illinois, which was adopted.

Senator Sifton offered Senate Resolution No. 1025, regarding Paula Hackbarth, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1026, regarding Amanda Timmerman, which was adopted.

Senator Sifton offered Senate Resolution No. 1027, regarding Jennifer Molsbee, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1028, regarding Alexis Wilkinson, Sikeston, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1029, regarding James Jura, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1030, regarding the Sixtieth Wedding Anniversary of Larry and Ruth Ann Nance, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1031, regarding the Sixty-eighth Wedding Anniversary of John and Vickie Adams, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1032, regarding Tin Kitchen, Weston, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1033, regarding Zimmer Biomet, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1034, regarding Adam Naler, D.D.S. Family Dentistry, Platte City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1035, regarding Cathy Kline Art Gallery, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1036, regarding M&M Transport Services, Kansas City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1037, regarding Orange EV, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1038, regarding Park Hill School District, which was adopted.

CONCURRENT RESOLUTIONS

Senator May offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 33

Relating to Minority Organ Donor Awareness Month in Missouri

Whereas, with more than one hundred eighteen thousand people waiting for an organ donation and with more than seven thousand people dying each year due to the lack of organs, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation; and

Whereas, approximately thirty thousand people a year have begun new lives thanks to an organ transplant. Organs and tissue from a single nonliving donor can be used to benefit more than fifty people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

Whereas, promoting the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor are vitally important to increase the number of lives saved and changed for the better through organ donation; and

Whereas, people of African American/Black, Asian/Pacific Islander, Hispanic/Latino, American Indian/Alaskan Native, and multiracial descent currently make up nearly fifty-eight percent of individuals on the national organ transplant waiting list. These communities are in great need of more organ and tissue donors; and

Whereas, an intensive awareness campaign focused on obstacles related to minorities and organ donation that promotes healthy living and disease prevention to decrease the need for organ transplantation and that reaches out to all ethnic groups is greatly needed:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the month of August each year as "Minority Organ Donor Awareness Month" in Missouri; and

Be It Further Resolved that the General Assembly encourages and recommends that people of the state of Missouri observe Minority Organ Donor Awareness Month through activities that specifically address the need to increase awareness of organ donation by all ethnic groups and the need for organ donors. Such activities may include prayer breakfasts, health walks, and donor drives; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Rowden moved that **HCR 57** be taken up for adoption, which motion prevailed.

On motion of Senator Rowden, **HCR 57** was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O'Laughlin	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Onder	Riddle	Walsh—3
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Vacancies—None

Senator Rowden moved that **HCR 58** be taken up for adoption, which motion prevailed.

On motion of Senator Rowden, **HCR 58** was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O'Laughlin	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Onder

Riddle

Walsh—3

Vacancies—None

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 857—By Luetkemeyer.

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to witness protection programs.

SB 858—By Hegeman.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to the establishment of a fund for emergency expenditures.

SB 859—By Hegeman.

An Act to repeal sections 50.800, 50.810, 50.815, and 50.820, RSMo, and to enact in lieu thereof two new sections relating to county financial statements, with existing penalty provisions.

SB 860—By Hegeman.

An Act to repeal sections 115.277, 115.279, 115.283, and 115.637, RSMo, and to enact in lieu thereof four new sections relating to elections, with existing penalty provisions.

SB 861—By White.

An Act to repeal sections 196.931 and 196.935, RSMo, and to enact in lieu thereof two new sections relating to the selling of raw milk or cream.

SB 862—By White.

An Act to repeal sections 56.380, 56.455, 105.950, 149.071, 149.076, 214.392, 217.010, 217.030, 217.250, 217.270, 217.362, 217.364, 217.455, 217.541, 217.650, 217.655, 217.660, 217.690, 217.692, 217.695, 217.710, 217.735, 217.829, 549.500, 557.051, 558.011, 558.026, 558.031, 558.046, 559.026, 559.105, 559.106, 559.115, 559.125, 559.600, 559.602, 559.607, 566.145, 571.030, 575.205, 575.206, 589.042, 595.209, 650.055, and 650.058, RSMo, and to enact in lieu thereof forty-four new sections relating to the department of corrections, with existing penalty provisions.

SB 863—By Brown.

An Act to repeal section 195.070, RSMo, and to enact in lieu thereof two new sections relating to administration of controlled substances by certified registered nurse anesthetists.

SB 864—By Brown.

An Act to repeal section 217.195, RSMo, and to enact in lieu thereof one new section relating to the inmate canteen fund.

SB 865—By Brown.

An Act to repeal section 620.2456, RSMo, and to enact in lieu thereof one new section relating to grants to expand access to broadband internet service in unserved and underserved areas of the state.

SB 866—By Brown.

An Act to repeal sections 190.094, 190.105, 190.143, and 190.196, RSMo, and to enact in lieu thereof four new sections relating to physician assistants.

SB 867—By Brown.

An Act to repeal section 301.3174, RSMo, and to enact in lieu thereof one new section relating to special license plates.

SB 868—By Brown.

An Act to repeal 348.500, RSMo, and to enact in lieu thereof one new section relating to family farms.

SJR 58—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 4(a) and 4(b) of article X of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to property taxes.

REFERRALS

President Pro Tem Schatz referred **SCR 30**, **SCR 31** and **SCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following escort committee pursuant to **HCR 57**: Senators Cunningham, Curls, Holsman, Libla, Nasheed, Romine, Sater, Sifton, Wallingford and Walsh.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
January 13, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Shalonn (Kiki) Curls, Democrat, 1909 Myrtle Avenue, Kansas City, Jackson County, Missouri 64127, as a member of the Labor and Industrial Relations Commission, for a term ending June 27, 2020, and until her successor is duly appointed and qualified; vice, Curtis Chick, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 13, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jason R. Holsman, 11419 Holly Court, Kansas City, Jackson County, Missouri 64114, as a member of the Public Service Commission, for a term ending September 27, 2025, and until his successor is duly appointed and qualified; vice, Daniel Hall,

resigned.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

INTRODUCTION OF GUESTS

Senator Schupp introduced to the Senate, Jim Carver and Erin LoRusso, Maryland Heights.

On motion of Senator Rowden, the Senate adjourned until 2:00 p.m, Tuesday, January 14, 2020.

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 14, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 609-Sater
SB 610-Sater
SB 611-Sater
SB 612-Emery
SB 613-Emery
SB 614-Emery
SB 615-Cunningham
SB 616-Cunningham
SB 617-Cunningham
SB 618-Wallingford
SB 619-Wallingford
SB 620-Wallingford
SB 621-Romine
SB 622-Romine
SB 623-Libla
SB 624-Libla
SB 625-Libla
SB 626-Nasheed
SB 627-Nasheed
SB 628-Sifton
SB 629-Sifton

SB 630-Sifton
SB 631-Hegeman
SB 632-Hegeman
SB 633-Hegeman
SB 634-Wieland
SB 635-Wieland
SB 636-Wieland
SB 637-Riddle
SB 638-Riddle
SB 639-Riddle
SB 640-Onder
SB 641-Onder
SB 642-Onder
SB 643-Hoskins
SB 644-Hoskins
SB 645-Hoskins
SB 646-Koenig
SB 647-Koenig
SB 648-Koenig
SB 649-Eigel
SB 650-Eigel

SB 651-Eigel	SB 692-Cunningham
SB 652-Crawford	SB 693-Wallingford
SB 653-Crawford	SB 694-Wallingford
SB 654-Crawford	SB 695-Sifton
SB 655-Cierpiot	SB 696-Sifton
SB 656-Cierpiot	SB 697-Sifton
SB 657-Arthur	SB 698-Wieland
SB 658-Arthur	SB 699-Riddle
SB 659-Arthur	SB 700-Onder
SB 660-Bernskoetter	SB 701-Onder
SB 661-Bernskoetter	SB 702-Onder
SB 662-Bernskoetter	SB 703-Hoskins
SB 663-Burlison	SB 704-Hoskins
SB 664-Burlison	SB 705-Koenig
SB 665-Burlison	SB 706-Koenig
SB 666-White	SB 707-Koenig
SB 667-White	SB 708-Eigel
SB 668-White	SB 709-Eigel
SB 669-Hough	SB 710-Eigel
SB 670-Hough	SB 711-Arthur
SB 671-Hough	SB 712-Arthur
SB 672-Brown	SB 713-Arthur
SB 673-Brown	SB 714-Burlison
SB 674-Brown	SB 715-Burlison
SB 675-Luetkemeyer	SB 716-Burlison
SB 676-Luetkemeyer	SB 717-White
SB 677-Luetkemeyer	SB 718-White
SB 679-O'Laughlin	SB 719-White
SB 680-O'Laughlin	SB 720-Hough
SB 681-May	SB 721-Hough
SB 682-May	SB 722-Hough
SB 683-May	SB 723-Brown
SB 684-Sater	SB 724-Brown
SB 685-Sater	SB 725-Brown
SB 686-Sater	SB 726-Luetkemeyer
SB 687-Emery	SB 727-Luetkemeyer
SB 688-Emery	SB 728-Luetkemeyer
SB 689-Emery	SB 729-Sater
SB 690-Cunningham	SB 730-Sater
SB 691-Cunningham	SB 731-Sater

SB 732-Emery	SB 772-Romine
SB 733-Emery	SB 773-Riddle
SB 734-Emery	SB 774-Brown
SB 735-Sifton	SB 775-Schatz
SB 736-Sifton	SB 776-Cunningham
SB 737-Sifton	SB 777-Wallingford
SB 738-Onder	SB 778-Hoskins
SB 739-Onder	SB 779-Crawford
SB 740-Onder	SB 780-Hough
SB 741-Koenig	SB 781-Brown
SB 742-Koenig	SB 782-Brown
SB 743-Eigel	SB 783-Brown
SB 744-Eigel	SB 784-Wallingford
SB 745-Burlison	SB 785-Koenig
SB 746-Burlison	SB 786-Romine
SB 747-Burlison	SB 787-Romine
SB 748-White	SB 788-Schupp
SB 749-White	SB 789-Schupp
SB 750-White	SB 790-Schupp
SB 751-Hough	SB 791-Eigel
SB 752-Brown	SB 792-Eigel
SB 753-Brown	SB 793-Koenig
SB 754-Luetkemeyer	SB 794-Eigel
SB 755-Sater	SB 795-Hough
SB 756-Sifton	SRB 796-Hough
SB 757-Onder	SB 797-Wieland
SB 758-Onder	SB 798-Hoskins
SB 759-Onder	SB 799-Schupp
SB 760-Burlison	SB 800-Schupp
SB 761-Burlison	SB 801-Koenig
SB 762-Burlison	SB 802-Hegeman
SB 763-White	SB 803-Crawford
SB 764-Onder	SB 804-Cunningham
SB 765-Onder	SB 805-Hoskins
SB 766-Onder	SB 806-Koenig
SB 767-Burlison	SB 807-Crawford
SB 768-Onder	SB 808-Crawford
SB 769-Burlison	SB 809-Brown
SB 770-Hough	SB 810-Luetkemeyer
SB 771-Wallingford	SB 811-Luetkemeyer

SB 812-Sater
SB 813-Sater
SB 814-Nasheed
SB 815-Eigel
SB 816-Crawford
SB 817-Crawford
SB 818-Wallingford
SB 819-Wallingford
SB 820-Burlison
SB 821-Hough
SB 822-Wallingford
SB 823-Wallingford
SB 824-Wallingford
SB 825-Libla
SB 826-White
SB 827-White
SB 828-Hough
SB 829-Hough
SB 830-Cunningham
SB 831-Cunningham
SB 832-Cunningham
SB 833-Luetkemeyer
SB 834-Brown
SB 835-Brown
SB 836-Onder
SB 837-White
SB 838-White
SB 839-Wallingford
SB 840-Arthur
SB 841-Arthur
SB 842-Emery
SB 843-Burlison
SB 844-Burlison
SB 845-Burlison
SB 846-Sater
SB 847-Eigel
SB 848-Eigel
SB 849-Eigel
SB 850-O'Laughlin

SB 851-O'Laughlin
SB 852-Hegeman
SB 853-Crawford
SB 854-Crawford
SB 855-Wieland
SB 856-Wieland
SB 857-Luetkemeyer
SB 858-Hegeman
SB 859-Hegeman
SB 860-Hegeman
SB 861-White
SB 862-White
SB 863-Brown
SB 864-Brown
SB 865-Brown
SB 866-Brown
SB 867-Brown
SB 868-Brown
SJR 39-Hegeman
SJR 40-Koenig
SJR 41-Koenig
SJR 42-Eigel
SJR 43-Eigel
SJR 44-Eigel
SJR 45-Cierpiot
SJR 46-Cierpiot
SJR 47-Cierpiot
SJR 48-Luetkemeyer
SJR 49-O'Laughlin
SJR 50-O'Laughlin
SJR 51-May
SJR 52-Eigel
SJR 53-Eigel
SJR 54-Eigel
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 33-May

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Journal of the Senate

SECOND REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 14, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Emery offered the following prayer:

The Psalmist proclaimed - “The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom should I be afraid?” (Psalm 27:1)

Merciful Lord, I join with my Senate colleagues this afternoon to pray for Senator Riddle as she goes through her recovery. May your healing presence flow through her body to renew her strength and vigor. Comfort her in spirit, soul, and body and bring her quickly back into the service of her constituents and this state. Lord, give us the tools we need to pursue peace within this body and in our state and nation. Produce in us the character of Christ to be ever kinder and more forgiving. Strengthen our faith to build relationships that are strong enough to overcome every trial and that will open avenues of peace among us. I pray in the name of the Lord Jesus Christ; amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators

Riddle Walsh—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1039, regarding the death of J. “Tom” Thomas, Kearney, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1040, regarding Andrew Robert Moore, Kahoka, which was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1041

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and seven division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

		MONTHLY
<u>NO.</u>	<u>CLASSIFICATION</u>	<u>SALARY RANGE</u>
1	Administrative Assistant	\$3,432 - \$4,985
0.5	Security Specialist	\$3,696 - \$5,085
1	Accounting Specialist	\$3,750 - \$4,985
1	Human Resources Specialist	\$4,000 - \$4,985
6	Administrative/Office Support	\$3,176 - \$4,556
4	Budget Research Analyst II	\$4,224 - \$5,207
1	Budget Research Analyst III	\$5,250 - \$6,675
1	Budget Staff Secretary	\$2,868 - \$4,710
1	Assistant Director - CIS	\$4,995 - \$6,085
3	Computer Information Technologist II	\$3,000 - \$4,210
1	Computer Information Technology Specialist I	\$3,325 - \$4,399
4	Computer Information Technology Specialist II	\$4,400 - \$5,525
2	Computer Information Technology Specialist III	\$5,526 - \$6,625
1	Assistant Director - Communications	\$4,250 - \$5,424
4	Public Information Specialist I	\$2,916 - \$3,823
2	Resolution Writer	\$2,916 - \$3,860
1	Multimedia Specialist	\$2,916 - \$3,823
1	Photographer	\$3,500 - \$4,850
7	Staff Attorney	\$5,000 - \$6,669
1	Research Analyst	\$5,000 - \$6,669
4	Research Staff Secretary	\$3,268 - \$5,000
1	Assistant Secretary of Senate	\$4,432 - \$6,250
2	Deputy Secretary of Senate	\$3,268 - \$4,500
1	Enrolling & Engrossing Supervisor	\$4,432 - \$5,556
5	Enrolling & Engrossing Clerk	\$2,548 - \$4,500
2	Journal Production Clerks	\$2,916 - \$3,985
1	Billroom Supervisor	\$2,916 - \$3,865
1	Billroom Clerk	\$2,446 - \$3,550

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
0.5	Sergeant-at-Arms (Elected)	\$2,679 - \$3,696
4.50	Doorkeeper	\$1,807 - \$2,338
0.5	Reading Clerk	\$1,807 - \$2,338
0.25	Chaplain	\$1,150 - \$1,850
1	Network/Communications Specialist	\$3,500 - \$4,685
3	Mailroom/Print Shop Technician I/II/II	\$2,948 - \$3,865
3	Printing Services Technician I/II/III/IV	\$2,679 - \$3,696
1	Maintenance Supervisor	\$2,868 - \$4,071
3	Maintenance Worker I/II/III	\$2,679 - \$3,696
0.5	Investigator	\$3,432 - \$5,007
1	Library Administrator	\$3,696 - \$5,440
1	Library Clerk	\$2,465 - \$3,432

BE IT FURTHER RESOLVED the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Appropriation, within the limits of the categories set out above.

BE IT FURTHER RESOLVED the Senate Administrator, on behalf of the Committee on Administration, has the authority to reduce, increase, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and the Committee on Administration may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1041** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1041** was adopted.

Senators Hough and Cunningham offered Senate Resolution No. 1042, regarding the death of Judge William Ralph Hass, Springfield, which was adopted.

Senator Rowden offered Senate Resolution No. 1043, regarding Tyler Schuster, Blackwater, which was adopted.

CONCURRENT RESOLUTIONS

Senator Hoskins offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 34

Whereas, in March 2019 Missouri experienced flooding at historically high levels; and

Whereas, the extensive flooding destroyed many homes, farms, and businesses, severely impacting the livelihoods of thousands of Missourians, who, in addition to suffering the emotional toll of the disaster, are also suffering a heavy economic burden to repair the devastated lands and infrastructure; and

Whereas, there are eight-congressionally authorized purposes for managing the Missouri River, including flood control and the

consideration of fish and wildlife:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, strongly urge the Congress of the United States to pass H.R. 2174, 116th Cong. (2019), which removes fish and wildlife as an authorized purpose of the Missouri River Mainstem Reservoir System and to make flood control the highest priority of authorized purposes of such system, and for other purposes; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri congressional delegation.

Senator Hoskins offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 35

Whereas, the state of Missouri was subject to historic and devastating flooding during 2019; and

Whereas, such flooding has resulted in the breaching of dozens of levees and millions of dollars in damage; and

Whereas, this is not the first time in the recent past in which Missouri has been subject to such devastation, with various floods subjecting the state to varying degrees of devastation within the last decade; and

Whereas, various measures have been taken to address the problems posed by these disasters by various public officials and entities; and

Whereas, House Resolution 3779, introduced in the United States House of Representatives is a significant measure that would help states mitigate the risks of such disasters in the future by providing needed resources; and

Whereas, it is imperative to not only help communities that have suffered from the current flooding to recover, but it is also imperative that all communities be able to be better prepared for future flooding; and

Whereas, such resolution was ordered reported from the House Transportation and Infrastructure Committee on September 19, 2019:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby call on the members of the Missouri Congressional delegation to support House Resolution 3779, 116th Congress; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Senator Hough offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 36

Relating to designating every November as National American History and Founders Month

Whereas, as we approach our Nation's 250th anniversary in 2026, there is a clear need to empower Americans to be active citizens through greater understanding of our Nation's early history, its founders, and the civic duties within the American experience; and

Whereas, the period beginning with the onset of the American Revolution in 1775 through 1791 encapsulates the events and people responsible for establishing and shaping our country's future. The American Revolution (1775-1783) is one of the most defining events in modern history, both as the rebellion against Great Britain and as the creation of a self-governing and sovereign nation. The Declaration of Independence, the Constitution, and the Bill of Rights will forever set our Nation apart from all others. Our electoral system, our three branches of government in the form of an elected President, an elected Congress, and an independent Supreme Court are well-established and sustaining. These have all set a long enduring, unique and remarkable precedent that many other nations over the past two centuries have sought to replicate; and

Whereas, the purpose of National American History and Founders Month is to create a tradition of educating and celebrating the founding history of our country for all Americans. Furthermore, while there are holidays celebrating key events, leaders, and groups responsible for creating and shaping our Nation, there is no official recognition or formal commemoration of our Nation's early history, its founders and its governmental system. This new recognition and focus offers all Americans an occasion to appreciate the struggle to create a new nation, the founders who pioneered how this new nation should be governed, and the civic duties of its citizens:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby proclaim each November as "National American History and Founders Month", and urge public officials at the state and local levels, educators in schools, colleges and universities, librarians, and all the people in the state of Missouri to observe this month with appropriate programs, ceremonies, and activities, and to reaffirm their devotion to the principles of freedom and the common history and heritage shared by all Americans; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Burlison offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 37

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power; and

Whereas, the Ninety-ninth General Assembly of Missouri, First Regular Session, adopted Senate Concurrent Resolution 4, which contained an application for an Article V Convention to propose constitutional amendments identical to those proposed in this resolution, but provided that the application would expire five years after the passage of Senate Concurrent Resolution 4; and

Whereas, it is necessary for each state to provide for the selection of commissioners to attend the Article V Convention:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that the General Assembly adopts this application with the following understandings (as the term “understandings” is used within the context of “reservations, understandings, and declarations”):

(1) An application to Congress for an Article V convention confers no power on Congress other than to perform a ministerial function to “call” for a convention;

(2) This ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states;

(3) The power of Congress to “call” a convention solely consists of the authority to name a reasonable time and place for the initial meeting of the convention;

(4) Congress possesses no power whatsoever to name delegates to the convention, as this power remains exclusively within the authority of the legislatures of the several states;

(5) Congress possesses no power to set the number of delegates to be sent by any states;

(6) Congress possesses no power whatsoever to determine any rules for such convention;

(7) By definition, a Convention of States means that states vote on the basis of one state, one vote;

(8) A Convention of States convened pursuant to this application is limited to consideration of topics specified herein and no other;

(9) The General Assembly of Missouri may recall its delegates at any time for breach of their duties or violations of their instructions pursuant to the procedures adopted in this resolution;

(10) Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly of Missouri recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention;

(11) Congress possesses no power whatsoever with regard to the Article V convention beyond the two powers acknowledged herein;

(12) Missouri places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I relative to the Article V process, and that Congress must act only as expressly specified in Article V; and

Be It Further Resolved that this application hereby repeals, rescinds, cancels, renders null and void, and supercedes the application to the Congress of the United States for a constitutional convention under Article V of the Constitution of the United States by this state in Senate Concurrent Resolution No. 4 as adopted by the Ninety-ninth General Assembly, First Regular Session; and

Be It Further Resolved that the members of the General Assembly hereby adopt the following procedures for the selection of

commissioners to attend the Article V Convention called for by this resolution:

Section 1. Selection of Commissioners

When a convention is called to propose amendments to the United States Constitution pursuant to Article V of the United States Constitution, the selection and participation of commissioners from Missouri to such convention shall be governed by this Resolution.

Section 2. Number, Eligibility, and Selection of Commissioners

A. Missouri shall have a number of commissioners equal to the number of congressional districts in the state at the time of the call with one commissioner from each congressional district and a number of alternate commissioners equal to the number of congressional districts in the state at the time of the call with one alternate commissioner from each congressional district.

B. Commissioners and alternates shall be citizens of the State of Missouri and shall otherwise meet the same qualifications necessary to hold office in the Missouri House of Representatives. Commissioners and alternates may include persons holding public office, subject to further limits described below, except that no person will be eligible who is:

- (1) A member of the United States House of Representatives or Senate;
- (2) An employee of the United States;
- (3) An employee or other representative of a contractor with the United States; or
- (4) An elected official holding a statewide office.

Commissioners and alternates are also subject to those existing ethics rules which apply to members of the General Assembly.

C. The House of Representatives and Senate shall select, by adoption of a concurrent resolution, the commissioners and alternates who meet the eligibility requirements described herein and who are submitted to the House of Representatives and the Senate by the Joint Legislative Committee as provided in Section 4 of this resolution. Of the commissioners, at least one-third shall not be sitting members of the General Assembly. Of the alternate commissioners, at least one-third shall not be sitting members of the General Assembly.

D. A majority of the commissioners shall constitute a quorum for all decisions made by the delegation, and no commissioner may give his or her vote by proxy or otherwise to any other commissioner. The commissioners shall select a chairperson to administer the work of the commissioners.

Section 3. Authority of Commissioners

A. Each commissioner and alternate shall, by oath or affirmation as a condition of participating in the convention, agree to faithfully and impartially discharge all the duties incumbent upon a commissioner, including the duty to abide by instructions established by concurrent resolution of the General Assembly for participation in the convention and the duty to act only within the scope of the General Assembly's application for the convention, if Missouri applied for the convention in which the commissioners are participating. Each commissioner and alternate shall further agree to immediately notify the Joint Legislative Committee if he or she believes that any Missouri commissioner or alternate has violated his or her oath or instructions while participating in the convention.

B. Prior to the Article V Convention, the General Assembly shall consider "Recommended Commissioner Instructions" presented to it by the Joint Legislative Committee as discussed further in Section 4 of this resolution, and shall by concurrent resolution provide duly approved instructions to the commissioners and alternates regarding the scope of matters they may consider and vote on at the convention, including rules of procedure and proposed amendments. Such instructions may be changed by the General Assembly prior to or during the convention. These instructions shall include, but shall not be limited to:

1. An instruction that the commissioners shall not support any voting rule other than the rule whereby each state exercises one vote; and
2. An instruction that on all voting matters at the convention, the decision of a simple majority of the Missouri commissioners shall constitute a single vote for the State of Missouri.

C. Any vote cast by a commissioner or alternate at an Article V convention that is outside the scope of any of the following is an unauthorized vote, and is therefore void:

1. The instructions established by any concurrent resolution adopted under this Resolution or later amending resolutions.
2. Any limits identified in the Missouri General Assembly's application for the convention.

Section 4. Authorization for and Role of the Joint Legislative Committee

A. After or near the time an Article V convention is called, a Joint Legislative Committee shall be duly authorized by the General Assembly for the purposes described in this section. The Joint Legislative Committee shall be comprised of five members of the Senate appointed by the President Pro Tempore of the Senate, with three members from the majority party and two members from the minority party, and five members of the House appointed by the Speaker of the House of Representatives, with three members from the majority party and two members from the minority party, and shall have the initial task of recommending eligible commissioners to the House of Representatives and the Senate for consideration of appointment as commissioners. The Joint Legislative Committee shall submit at least three persons from each congressional district who are eligible, as provided in this resolution, to serve as a commissioner and at least three different persons from each congressional district who are eligible, as provided in this resolution, to serve as an alternate commissioner. The House of Representatives and the Senate shall select a commissioner and alternate commissioner from each congressional district from the names submitted by the Joint

Legislative Committee. The Joint Legislative Committee shall also be charged with presenting “Recommended Commissioner Instructions” to the full General Assembly for consideration leading to a concurrent resolution as discussed in Section 3(B) of this resolution. Such Commissioner Instructions will define the scope of matters the Commissioners may consider and vote on at the Article V Convention, including rules of procedure and proposed amendments as discussed more fully in Section 3 of this resolution. All recommendations that secure a simple majority vote of the members of the Joint Legislative Committee present will be deemed approved “Recommended Commissioner Instructions” to be submitted to the General Assembly for its consideration.

B. After commissioners have been selected, the Joint Legislative Committee may recall any commissioner and revoke such commissioner’s authority. However, the Joint Legislative Committee may only recall and revoke the authority in the event the commissioner casts or attempts to cast an unauthorized vote as described in this Resolution. The Joint Legislative Committee shall also appoint one of the selected alternates to take the place of a commissioner so recalled. The Joint Legislative Committee shall promptly investigate any notice that a commissioner or alternate has cast an unauthorized vote or otherwise exceeded the scope of the General Assembly’s application for the convention or the General Assembly’s instructions to the commissioners. The Joint Legislative Committee shall act to ensure that the commissioners remain faithful to the terms of the convention application and the General Assembly’s instructions. Before or during the Article V Convention, the Joint Legislative Committee may advise the commissioners on questions which arise regarding the scope of the convention and the legislative instructions to commissioners.

C. By concurrent resolution, the General Assembly may change or supersede any action of the Joint Legislative Committee or recall commissioners or alternates to the convention, or appoint new commissioners or alternates.

D. The Joint Legislative Committee shall be authorized to conduct its business via telephone or by electronic communication.

Section 5. Conflicts with Convention Rules or Procedures

Should the provisions of this Resolution conflict with the rules or procedures established by the Article V convention, the General Assembly may by concurrent resolution conform these provisions to such rules or procedures; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 869—By Hough.

An Act to repeal section 321.552, RSMo, and to enact in lieu thereof one new section relating to a sales tax for emergency services.

SB 870—By Hough.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to lists of health care provider participation in health benefit plans.

Senator Hough assumed the Chair.

SB 871—By Nasheed.

An Act to repeal sections 99.805, 99.810, 99.825, and 99.843, RSMo, and to enact in lieu thereof four new sections relating to tax increment financing.

SB 872—By Crawford.

An Act to repeal sections 32.310, 144.605, and 144.757, RSMo, and to enact in lieu thereof six new sections relating to use taxes, with an emergency clause for a certain section and an effective date for certain sections.

SB 873—By Crawford.

An Act to repeal section 94.902, RSMo, and to enact in lieu thereof one new section relating to a public

safety sales tax.

SB 874—By Sater.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to broadband infrastructure improvement districts.

SB 875—By Emery.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the participation of home school students in public school activities.

SB 876—By Libla.

An Act to repeal sections 300.010, 301.010, 407.815, 407.1025, and 577.001, RSMo, and to enact in lieu thereof five new sections relating to the composition of off-highway vehicles.

SB 877—By Burlison.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to apprenticeships.

SB 878—By Burlison.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to fines or penalties issued by the department of natural resources.

SB 879—By Burlison.

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to statutes of limitations.

SB 880—By Rowden.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the protection of information controlled by state agencies.

SB 881—By Wieland.

An Act to amend supreme court rules 25.02, 25.03, 25.04, 25.05, 25.08, 25.10, 25.12, 25.14, 25.15, 25.18, and 25.19, relating to discovery in criminal cases.

SB 882—By Wieland.

An Act to repeal sections 300.347 and 307.180, RSMo, and to enact in lieu thereof five new sections relating to transportation devices, with penalty provisions.

SB 883—By Hoskins.

An Act to repeal section 245.060, RSMo, and to enact in lieu thereof one new section relating to levee districts.

SB 884—By Hoskins.

An Act to repeal sections 246.070 and 246.160, RSMo, and to enact in lieu thereof two new sections relating to levee and drainage districts.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 33—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTION OF GUESTS

Senator Hough introduced to the Senate, the Physician of the Day, Dr. Matthew Stinson, MD., Springfield.

Senator Romine introduced to the Senate, Lindsay Bloom and her parents John and Kristee Bloom, Irondale.

Senator Williams introduced to the Senate, Ed Bryant, St. Charles.

Senator Williams introduced to the Senate, Eric Weinzettle, Washington University.

Senator Williams introduced to the Senate, Karen Aroesty, St. Louis.

Senator Brown introduced to the Senate Emilee Keene and her parents John and Jennifer Keene.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 15, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 609-Sater	SB 622-Romine
SB 610-Sater	SB 623-Libla
SB 611-Sater	SB 624-Libla
SB 612-Emery	SB 625-Libla
SB 613-Emery	SB 626-Nasheed
SB 614-Emery	SB 627-Nasheed
SB 615-Cunningham	SB 628-Sifton
SB 616-Cunningham	SB 629-Sifton
SB 617-Cunningham	SB 630-Sifton
SB 618-Wallingford	SB 631-Hegeman
SB 619-Wallingford	SB 632-Hegeman
SB 620-Wallingford	SB 633-Hegeman
SB 621-Romine	SB 634-Wieland

SB 635-Wieland
SB 636-Wieland
SB 637-Riddle
SB 638-Riddle
SB 639-Riddle
SB 640-Onder
SB 641-Onder
SB 642-Onder
SB 643-Hoskins
SB 644-Hoskins
SB 645-Hoskins
SB 646-Koenig
SB 647-Koenig
SB 648-Koenig
SB 649-Eigel
SB 650-Eigel
SB 651-Eigel
SB 652-Crawford
SB 653-Crawford
SB 654-Crawford
SB 655-Cierpiot
SB 656-Cierpiot
SB 657-Arthur
SB 658-Arthur
SB 659-Arthur
SB 660-Bernskoetter
SB 661-Bernskoetter
SB 662-Bernskoetter
SB 663-Burlison
SB 664-Burlison
SB 665-Burlison
SB 666-White
SB 667-White
SB 668-White
SB 669-Hough
SB 670-Hough
SB 671-Hough
SB 672-Brown
SB 673-Brown
SB 674-Brown
SB 675-Luetkemeyer

SB 676-Luetkemeyer
SB 677-Luetkemeyer
SB 679-O'Laughlin
SB 680-O'Laughlin
SB 681-May
SB 682-May
SB 683-May
SB 684-Sater
SB 685-Sater
SB 686-Sater
SB 687-Emery
SB 688-Emery
SB 689-Emery
SB 690-Cunningham
SB 691-Cunningham
SB 692-Cunningham
SB 693-Wallingford
SB 694-Wallingford
SB 695-Sifton
SB 696-Sifton
SB 697-Sifton
SB 698-Wieland
SB 699-Riddle
SB 700-Onder
SB 701-Onder
SB 702-Onder
SB 703-Hoskins
SB 704-Hoskins
SB 705-Koenig
SB 706-Koenig
SB 707-Koenig
SB 708-Eigel
SB 709-Eigel
SB 710-Eigel
SB 711-Arthur
SB 712-Arthur
SB 713-Arthur
SB 714-Burlison
SB 715-Burlison
SB 716-Burlison
SB 717-White

SB 718-White	SB 760-Burlison
SB 719-White	SB 761-Burlison
SB 720-Hough	SB 762-Burlison
SB 721-Hough	SB 763-White
SB 722-Hough	SB 764-Onder
SB 723-Brown	SB 765-Onder
SB 724-Brown	SB 766-Onder
SB 725-Brown	SB 767-Burlison
SB 726-Luetkemeyer	SB 768-Onder
SB 727-Luetkemeyer	SB 769-Burlison
SB 728-Luetkemeyer	SB 770-Hough
SB 729-Sater	SB 771-Wallingford
SB 730-Sater	SB 772-Romine
SB 731-Sater	SB 773-Riddle
SB 732-Emery	SB 774-Brown
SB 733-Emery	SB 775-Schatz
SB 734-Emery	SB 776-Cunningham
SB 735-Sifton	SB 777-Wallingford
SB 736-Sifton	SB 778-Hoskins
SB 737-Sifton	SB 779-Crawford
SB 738-Onder	SB 780-Hough
SB 739-Onder	SB 781-Brown
SB 740-Onder	SB 782-Brown
SB 741-Koenig	SB 783-Brown
SB 742-Koenig	SB 784-Wallingford
SB 743-Eigel	SB 785-Koenig
SB 744-Eigel	SB 786-Romine
SB 745-Burlison	SB 787-Romine
SB 746-Burlison	SB 788-Schupp
SB 747-Burlison	SB 789-Schupp
SB 748-White	SB 790-Schupp
SB 749-White	SB 791-Eigel
SB 750-White	SB 792-Eigel
SB 751-Hough	SB 793-Koenig
SB 752-Brown	SB 794-Eigel
SB 753-Brown	SB 795-Hough
SB 754-Luetkemeyer	SRB 796-Hough
SB 755-Sater	SB 797-Wieland
SB 756-Sifton	SB 798-Hoskins
SB 757-Onder	SB 799-Schupp
SB 758-Onder	SB 800-Schupp
SB 759-Onder	SB 801-Koenig

SB 802-Hegeman	SB 844-Burlison
SB 803-Crawford	SB 845-Burlison
SB 804-Cunningham	SB 846-Sater
SB 805-Hoskins	SB 847-Eigel
SB 806-Koenig	SB 848-Eigel
SB 807-Crawford	SB 849-Eigel
SB 808-Crawford	SB 850-O'Laughlin
SB 809-Brown	SB 851-O'Laughlin
SB 810-Luetkemeyer	SB 852-Hegeman
SB 811-Luetkemeyer	SB 853-Crawford
SB 812-Sater	SB 854-Crawford
SB 813-Sater	SB 855-Wieland
SB 814-Nasheed	SB 856-Wieland
SB 815-Eigel	SB 857-Luetkemeyer
SB 816-Crawford	SB 858-Hegeman
SB 817-Crawford	SB 859-Hegeman
SB 818-Wallingford	SB 860-Hegeman
SB 819-Wallingford	SB 861-White
SB 820-Burlison	SB 862-White
SB 821-Hough	SB 863-Brown
SB 822-Wallingford	SB 864-Brown
SB 823-Wallingford	SB 865-Brown
SB 824-Wallingford	SB 866-Brown
SB 825-Libla	SB 867-Brown
SB 826-White	SB 868-Brown
SB 827-White	SB 869-Hough
SB 828-Hough	SB 870-Hough
SB 829-Hough	SB 871-Nasheed
SB 830-Cunningham	SB 872-Crawford
SB 831-Cunningham	SB 873-Crawford
SB 832-Cunningham	SB 874-Sater
SB 833-Luetkemeyer	SB 875-Emery
SB 834-Brown	SB 876-Libla
SB 835-Brown	SB 877-Burlison
SB 836-Onder	SB 878-Burlison
SB 837-White	SB 879-Burlison
SB 838-White	SB 880-Rowden
SB 839-Wallingford	SB 881-Wieland
SB 840-Arthur	SB 882-Wieland
SB 841-Arthur	SB 883-Hoskins
SB 842-Emery	SB 884-Hoskins
SB 843-Burlison	SJR 39-Hegeman

SJR 40-Koenig
SJR 41-Koenig
SJR 42-Eigel
SJR 43-Eigel
SJR 44-Eigel
SJR 45-Cierpiot
SJR 46-Cierpiot
SJR 47-Cierpiot
SJR 48-Luetkemeyer
SJR 49-O'Laughlin

SJR 50-O'Laughlin
SJR 51-May
SJR 52-Eigel
SJR 53-Eigel
SJR 54-Eigel
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 34-Hoskins
SCR 35-Hoskins

SCR 36-Hough
SCR 37-Burlison

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Journal of the Senate

SECOND REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 15, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“The friendship of the Lord is for those who fear him, and he makes his covenant known to them.” (Psalm 25:14)

Gracious God, Your grace refreshes us and You renew us for the work that is before us this day. We ask that You might help us live more fully the life You have given us and that we might be enriched and share the joy of living with others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—None

The Lieutenant Governor was present.

Senator Rowden requested unanimous consent of the Senate to allow the Mayor of Kansas City Security Detail to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1044, regarding Carla and Bill Hembree, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1045, regarding Brent Sager, which was adopted.

Senator Sater offered Senate Resolution No. 1046, regarding Tomblin's Jewelry and Gifts, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1047, regarding Abigail Newman, which was adopted.

Senator Holsman offered Senate Resolution No. 1048, regarding Bach Aria Soloists, Kansas City, which was adopted.

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 1049, regarding Charles Ridgel, Steedman, which was adopted.

Senator Rizzo offered Senate Resolution No. 1050, regarding Maryfrances Wagner, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 885—By Walsh.

An Act to amend chapter 701, RSMo, by adding thereto one new section relating to lead testing in certain elementary school buildings.

SB 886—By Walsh.

An Act to amend chapter 320, RSMo, by adding thereto one new section relating to fire-resistant material applicators, with penalty provisions.

SB 887—By Walsh.

An Act to repeal sections 32.087 and 144.070, RSMo, and to enact in lieu thereof three new sections relating to the department of revenue.

SB 888—By Koenig.

An Act to repeal sections 211.447, 453.014, 453.030, 453.040, and 453.070, RSMo, and to enact in lieu thereof five new sections relating to the parent-child relationship.

SB 889—By Koenig.

An Act to amend chapters 556 and 570, RSMo, by adding thereto two new sections relating to criminal offenses, with penalty provisions and an emergency clause.

SB 890—By Koenig.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to alternative services for disabilities.

SB 891—By Burlison.

An Act to repeal section 334.285, RSMo, and to enact in lieu thereof one new section relating to

physician maintenance of certification.

SB 892—By Burlison.

An Act to repeal sections 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof three new sections relating to the management of hazardous waste.

SB 893—By Burlison.

An Act to repeal section 324.206, RSMo, and to enact in lieu thereof one new section relating to professional registration.

SB 894—By Burlison.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to fines or penalties issued by the department of natural resources.

SB 895—By Eigel.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to payments to MO HealthNet providers.

SB 896—By Eigel.

An Act to repeal section 650.005, RSMo, and to enact in lieu thereof two new sections relating to military forces, with a contingent effective date.

SJR 59—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 12 of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to military forces.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee pursuant to **HCR 57**. Representatives: Cupps, Bondon, Sommer, Veit, McGaugh, Aldridge, Young, Person, Gunby, Sharp.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
January 15, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jason R. Holsman as a member of the Public Service Commission, submitted to you on January 13, 2020. Line 2 should be amended to read:

a member of the Public Service Commission, for a term ending January 13, 2026, and

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above addendum to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Schatz referred **SCR 34** and **SCR 35** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolutions were read the 2nd time and referred to the Committee indicated:

SCR 36—Rules, Joint Rules, Resolutions and Ethics.

SCR 37—Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Rowden, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

Senator Burlison requested unanimous consent of the Senate to withdraw **SB 894**, which request was granted.

On motion of Senator Rowden, the Senate repaired to the House of Representatives to receive the State of the State Address from His Excellency, Governor Michael L. Parson.

JOINT SESSION

The Joint Session was called to order by President Kehoe.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Onder
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—None

The Lieutenant Governor was present.

On roll call the following Representatives were present:

PRESENT: 152

Aldridge	Allred	Anderson	Andrews	Appelbaum	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck	Billington	Black 137
Black 7	Bland Manlove	Bondon	Bosley	Bromley	Brown 27	Brown 70
Burnett	Burns	Busick	Butz	Carpenter	Chipman	Christofanelli
Clemens	Coleman 32	Coleman 97	Cupps	Deaton	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Eslinger	Evans	Falkner
Fishel	Fitzwater	Francis	Gannon	Gray	Green	Gregory
Grier	Griesheimer	Griffith	Gunby	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Hill	Houx	Hovis
Hudson	Hurst	Ingle	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Lavender	Lovasco	Love	Lynch
Mackey	McCreery	McGaugh	McGill	Merideth	Messenger	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley	Muntzel	Murphy
Neely	O'Donnell	Patterson	Person	Pfautsch	Pierson Jr.	Pietzman
Pike	Plocher	Pogue	Pollitt	Pollock 123	Porter	Proudie
Quade	Razer	Reedy	Rehder	Remole	Richey	Riggs
Roberts 161	Roberts 77	Rogers	Rone	Ross	Runions	Ruth
Sauls	Schnelting	Schroer	Sharp 36	Sharpe 4	Shaul 113	Shawan
Shields	Shull 16	Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Taylor	Toalson Reisch	Trent
Unsicker	Veit	Vescovo	Walsh	Washington	Wiemann	Wilson
Windham	Wood	Wright	Young	Mr. Speaker		

ABSENT: 10

Carter	Chappelle-Nadal	Mayhew	McDaniel	Miller	Price	Roden
Rowland	Sain	Tate				

VACANCIES: 1

The Joint Committee appointed to wait upon His Excellency, Governor Michael L. Parson, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly.

2020 STATE OF THE STATE ADDRESS

GOVERNOR MIKE PARSON

Statewide leaders, legislators, and special guests ...

Thank you for the warm welcome and the honor of being here today to present the State of the State.

It was not long ago that I stood here and laid out a bold plan for the future of Missouri.

Back then, many were worried about the direction of our state. Some of you were probably worried about how your new Governor would lead and address the problems within Missouri.

But, because I love this state and the people of this state, I knew I was ready for that challenge ... and with your help, ready to chart a new path for Missouri.

A path that would push us to the forefront of the nation by providing more opportunities for our citizens ... and make Missouri a destination for others around the country ready to embrace our Show Me way of life.

I also want to thank the many of you in this room and the thousands around the state who had confidence in me, supported my vision, and offered me patience at a trying time for Missouri.

Even though it was a challenging time, it was also an opportunity to do things differently, to tackle tough problems, and propose bold solutions

... and with your help, we have made tremendous progress.

That is why I am confident telling you today that the state of our state is strong ... and by working together, we will be ready for an even better future.

One year ago, I told you my administration would take a very disciplined approach to working for the people of Missouri ... and that workforce development and infrastructure must be our dedicated priorities.

Focusing on these issues would allow us to not only make short-term gains for our state, but also provide long-term stability and a solid foundation for future generations.

They were issues that we worked on together, regardless of party or region of the state.

And, most importantly, after listening to community, civic, and business leaders from across Missouri ... I knew they shared the same belief that these issues would help strengthen every community across our state.

In fact, in just a single year, Missouri's workforce development agenda has caught the attention of the rest of the country.

Other states are now watching us and taking notes, and we are rapidly working towards our goal of becoming the Best in the Midwest ... and frankly, the best in the nation.

For example, through our collaboration with employers, we now have 42,000 Missourians signed up for on-the-job training through the One Start program ... 42,000.

We have reached second in the nation for apprenticeships, and we fully intend to keep that momentum going.

Our Fast Track scholarship program has reached hundreds of applications ... and I am very proud that these scholarships are primarily used at our community colleges where women make up 61% of the total enrollment.

Another workforce development program I'm very proud of is ASPIRE MO, a 20-week program that helps incarcerated women develop business plans and prepare for successful re-entry into the workforce.

With us today in the upper gallery is Emily Kirchhoff and Nigaila Gibbs.

Both of these ladies served in the Vandalia women's correctional center.

Both of them would tell you they made poor choices in the past, but they stand before us today as graduates of ASPIRE MO.

Through this program, they have shown dedication to learning new skills, taking responsibility, getting back on their feet, and into the workforce.

Ms. Kirchhoff is employed at a call center that connects veterans to healthcare services.

Ms. Gibbs is employed at Americold, a storage and logistics company in St. Louis.

If we are to be a society that believes in forgiveness and second chances, then it is the next chapter in their lives that will matter most.

Please join me in recognizing Ms. Kirchhoff and Ms. Gibbs.

Please know we believe in you, we support you, and we wish you the best in the days to come.

The opportunities we have provided for individuals to better themselves – and in return provide a more stable environment for their families – will truly change lives long after all of us are gone.

When we talk about these successes in workforce development, it is also worth pointing out that real incomes are rising faster than any time in recent history.

More people have more money in their pockets, and the tax cuts at the state and federal level are absolutely having a positive impact here in Missouri.

Missouri now ranks 7th in the nation for small business wage growth.

And at 3.1 percent, our unemployment rate continues to remain at historic lows, and has been below the national unemployment rate for 40 consecutive months ... another example that Missouri's growth is strong, and we are on the right track.

Not to mention that the African American unemployment rate in Missouri has dropped from over 10 percent in 2014 to 5.5 percent today.

Our workforce efforts have created over 40,000 new jobs since I took office ... 40,000 new jobs.

And, more importantly, it is the private sector that is driving these investments, not government.

And here are just a few examples:

The Fortune 250 Agri-business company Bunge announced the relocation of its global headquarters from New York to St. Louis.

Bayer announced it will add 500 new jobs to the St. Louis region, and Pfizer also invested over \$230 million dollars.

Boeing secured a \$16 billion dollar contract to build the TX trainer, and NGA West just broke ground on their billion dollar campus in St. Louis.

On the other side of the state, companies like Swiss Re, Faurecia, CVS, and Waddell & Reed have made huge investments in the area.

And of course, Kansas City beat more than 130 other cities around the country to land two divisions from the USDA and over 500 new jobs for the first time in our nation's history.

Our big cities aren't the only ones generating new jobs and attracting investment.

Briggs and Stratton is creating 130 new jobs in Poplar Bluff. Dollar Tree invested \$110 million dollars for a new distribution center in Warrensburg, creating 375 new jobs.

Nucor Steel, the largest steel company in the United States, is close to production at its \$250 million dollar steel mill that will create 250 new jobs in Sedalia, Missouri.

Aurora Organic Dairy opened a new processing plant in Columbia, creating over 100 new jobs ... and Purina invested \$115 million dollars to expand in Bloomfield.

And, about one month ago, General Motors announced one of the largest single project investments in our state's history in Wentzville with a \$1.5 billion dollar investment to build midsize trucks for North America ...

And we like our trucks here in Missouri.

This is just the beginning, and these successes will help us build further momentum.

All of these are shared successes ... and show that by working together, our investments in workforce development and infrastructure are succeeding.

I am proud to report we have exceeded even our own estimates, and the result has been better cost savings and more projects for the people of Missouri.

As a matter of fact, Senator Schatz and Representative Ruth ... I want to thank you for your leadership on getting the bridge bonding resolution completed, and let you know that our first round of bonds was achieved at an interest rate of 1.25 percent.

And, what triggered these bonds was an \$81.2 million dollar INFRA grant from the U.S. Department of Transportation to build the Rocheport Bridge.

Even more to celebrate are the vital grants we have received to complete the MacArthur Bridge in St. Louis ... make significant improvements to the River Port in Cape Girardeau ... solidify the East Locust reservoir project in northern Missouri ... and finally wrap-up funding for the I-49 Bella Vista Bypass in Southwest Missouri.

I appreciate the support and leadership from our federal delegation in securing those funds, especially Congressman Sam Graves and Senator Roy Blunt.

These projects are critically important to their regions, and I am proud of MoDOT's hard work to leverage every tax dollar to the fullest and make our transportation system safer for ALL Missourians.

In addition to these projects, we got an even better return than expected on the infrastructure cost-share program you all passed.

I am excited to tell you that this nearly \$50 million dollar investment will lead to nearly \$150 million dollars in new infrastructure investment, and an economic impact of approximately \$350 million dollars.

The bold infrastructure proposals we all worked on together have netted \$1 billion dollars in new projects for our state.

There is so much excitement and optimism across all parts of the state ... but right here in Jefferson City, we shook things up a little more.

We stopped talking about reform and pushed through real reforms that have changed state government for the better.

Our first reorganization effort of state government took effect this past August, impacting hundreds of state employees.

These changes represent the most significant reorganization of state government in decades.

This was the right thing to do to make government more efficient, more accountable, and more customer oriented to the people we serve.

As part of our efforts to improve state government, we also successfully consolidated a state prison that will save us \$22 million dollars every year.

And, on top of this, through greater efficiency, better management, and more accountability to the Missouri taxpayers, we gave our state employees a much-needed pay raise.

An effort like that does not happen if you don't have bold leaders who are dedicated to making state government better ... so I would like to recognize all of my cabinet members seated in the rear gallery.

Please stand and be recognized.

I am proud of the support and commitment you show this state every day, and it is my honor to serve alongside you.

We have made record improvements in just a short period of time, but I believe there is still more to do and much more we can achieve with

hard work.

Of course, it is important to know that these bold ideas are working. But, most importantly, it is about the impact it has on the lives of the everyday people of Missouri.

That is why my call this legislative session is to propose initiatives aimed at building stronger communities ... improving education and workforce development ... revitalizing our infrastructure ... and making government more accountable.

It is critical to understand that all of these issues provide individuals with more opportunities, strengthen public safety, and create healthier and more stable communities ... and I have learned that no one knows more about their communities than the mayors.

Seated in the upper gallery are the mayors and police chiefs of the four largest metro areas of our state.

Mayor Quinton Lucas of Kansas City ... Mayor Lyda Krewson of St. Louis ... Mayor Ken McClure of Springfield ... and Mayor Brian Treece of Columbia.

All of these mayors care deeply about their cities, just as I care deeply about our entire state ... we all know that Missouri is diverse, and so are the opinions and needs of the people within it.

But, regardless of what part of the state we come from, we all want our communities to be safe ... and we worry when we see violent criminals threaten our neighborhoods.

That concern for our citizens brought the five of us together.

Despite our varied backgrounds and differing opinions, we have stayed focused on what we can accomplish by working together, while also showing respect and willingness to listen to one another.

These mayors understand my commitment to support the second amendment for law abiding citizens.

And let me be clear ...

During my 6 years in the Army, 22 years in law enforcement, and as a lifetime member of the NRA ...

I have never wavered in my support for the Second Amendment.

But, we all have to understand the very real issue of violent crime affecting our neighborhoods and the potential consequence of doing nothing.

By working together, we have come up with solutions to help combat violent crime, such as:

- Providing greater protection for victims and witnesses.
- Providing more mental health resources and services.
- And, finally strengthening our laws to target violent criminals.

We won't always agree, and there will always be issues we each feel passionately about.

But, I am confident that by working together, the potential for our regions and the entire state of Missouri is even greater.

Please join me in recognizing the mayors and police chiefs of Kansas City, St. Louis, Springfield, and Columbia, Missouri.

We will continue to promote initiatives that incorporate more mental health resources into public safety ... provide more targeted and tactical support for the pursuit of violent criminals ... and encourage more coordination among law enforcement.

We know some of these efforts are already paying off.

Between Operation Triple Beam in Kansas City and our commitment of state personnel in St. Louis, Remarkable results have been achieved ... including:

- The arrest of hundreds of violent criminals,
- Gang members,
- And the seizure of nearly 30 pounds of illegal drugs.

With us here today are members of the Missouri Highway Patrol and the Division of Fire Safety who have been part of these efforts in St. Louis.

Please join me in recognizing their hard work and commitment to protecting the people of Missouri.

These results reflect real progress, and show that by all of us working together – federal, state, and local law enforcement, and community leaders – we can make a difference and keep violent criminals off our streets.

I also want to point out that we included community leaders.

As Governor, I have the greatest honor and privilege of representing all parts of our state ... but I have learned the most powerful voice is often the one in the community.

With us here today are several members of the Missouri Faith Leadership Coalition.

I want to thank them for stepping up ... leading by actions and not just words ... putting their communities and congregations ahead of politics ... and helping me better understand the struggles their communities face.

These leaders are also special to me because I know we all have a special faith ...

And it is that special faith that allowed us to look past whatever differences we may have, and come together for a purpose higher than any one of us.

Would the members of the Missouri Faith Leadership Coalition please stand to be recognized?

There is also another special guest I would like to recognize today - Mrs. Bernice Jones.

By looking at us, you might not think Mrs. Jones and I have much in common.

But one Saturday at a Grill for Glory event, we realized we both have an immense love for children.

Mrs. Jones has 13 grandchildren, and I have six. Being a grandparent is something we both cherish.

I also learned that Mrs. Jones has been involved in her same community in St. Louis for over 50 years, keeping an eye on things, offering assistance to youth, and always serving others.

Sadly, she and I met because of the tragedy of children being shot in the street ... but this also made me realize something else very important about working together.

We need to take more time to celebrate community leaders like Mrs. Jones who are making a real difference ...

Not those who are trying to tear it apart and relish in the fear they create by headlines in the newspapers.

When it is hard to find the light in a bad situation, sometimes a spark is all you need to get the fire going again ... Mrs. Jones has been that spark in her community.

She had the chance to leave, but she chose not to.

Mrs. Jones stayed to fight the fight ... and has truly changed lives for the better.

Please join me in recognizing Mrs. Jones.

As a former sheriff, it is important to me that we also give special thanks to those who risk their lives to keep ours safe.

Our law enforcement and emergency personnel do a job that most people don't want to do, but others expect them to do it.

We must trust them, and stand up for these brave men and women.

I hope that this legislative session, serious time and consideration will be given to these proposals to strengthen our communities.

While reducing violent crime is our immediate goal, I strongly believe that at the end of the day, it is about better education and skills to get a quality job ... because that is going to be the long-term solution.

Last year, our workforce development efforts focused on new training opportunities for working adults.

However, in some of our most troubled communities, or any community in Missouri for that matter, our children are the true workforce of tomorrow.

The most important and impactful time of a child's development is the early years of his or her life ...

Missouri recently received a \$33.5 million dollar preschool development grant aimed at creating a more effective, high-quality early learning system.

With this funding, we have the opportunity to strengthen our early childhood offerings and better prepare Missouri children for success ... which is crucial to the development of a strong workforce.

In addition to early childhood education, we will also focus on increasing opportunities for high-demand training at the high school level.

We need to ensure our students understand the many opportunities out there, whether it be going into the workforce, the military, a community college, technical school, or a four-year degree.

Currently in Missouri approximately, 30 percent of our population has a four-year degree from a college or university, meaning that 70 percent does not.

We need to move away from the stigma that not having a college degree is a failure, when in fact there are many other excellent education and job training opportunities.

This is why we are seeking \$750,000 dollars to certify approximately 12,000 new high school students as work-ready through the Work Keys program.

This is a major step that could open doors to students not sure if college is in their immediate plans, but still put them on a path to greater opportunities.

In addition, we are proposing greater access to virtual education for high school students, as well as home school students.

We will also be working to expand opportunities through Jobs for America's Graduates, a program that helps youth graduate from high school and transition to the workforce.

And, for our college-bound students, we have secured a total of \$5.3 million dollars to increase Bright Flight and A+ Scholarship funding.

We are also proposing another \$19 million dollars for the MoExcels Workforce Initiative.

And, we can do all of this while increasing school transportation funding ... and still fully funding our Foundation Formula.

This focus on training our future workforce has been a true collaborative effort, and I greatly appreciate the partnership we've had from the private sector and the education arena.

Many of these changes to our workforce system would not be possible without our teachers ... and that is why I also want to start discussing ways to improve teacher pay.

However, the solution cannot just be asking the state to write a bigger check.

We are going to ask school districts, school boards, and DESE to propose a better plan for our teachers.

Being an educator today is not an easy job.

By supporting them, we also support our children, their futures, and the future of our state.

Here with us today is Missouri Teacher of the Year - Misty Grandel - from Fordland R-III High School.

No person has a greater impact on our children's education than a teacher who helps them flourish and grow ... Ms. Grandel is a shining example of this.

Please join me in recognizing Missouri Teacher of the Year - Ms. Grandel.

And to all of Missouri's outstanding educators, thank you for what you do.

This next phase of our plan will help continue our momentum ... but we can't emphasize workforce development without infrastructure.

That is a big reason why approximately \$5 billion dollars in new private investment has poured into our state ... why our unemployment remains at record lows ... why we are pulling ahead of our neighboring states ... and we must keep up the hard work.

We will continue to build on critical infrastructure ... and, we will once again propose setting aside \$4 million dollars in disaster recovery funds.

Unfortunately, the flooding we saw last year was some of the worst we have seen in decades and even historically ...

But I want to truly thank the work of Senator Hegeman, Representative Andrews, and other legislators for their leadership in their communities during these trying times.

Despite these challenges, we have still made some major accomplishments worth celebrating.

We have proven that we can get through tough times ... and together, we are creating a new horizon of opportunity for infrastructure in our state.

Some of the most exciting infrastructure investments we will see this year can be tied back to the bold bridge infrastructure plan that you as legislators passed.

More than 250 bridges around the state will be repaired or replaced.

These bridges are not only critically important to their local communities, but also to public safety.

For example, by combining our bridge proposal with federal funding secured by Congressman Graves, Missouri is now on track to significantly reduce the number of deficient bridges in the 6th Congressional District, which encompasses nearly half of our entire state ...

And that is a major milestone.

One of the benefits of the plan we laid out last year was not only the immediate impact, but also the additional resources it would free up for other critical projects.

An example of this is MoDOT's recent announcement of a huge investment to rebuild a substantial portion of I-270 throughout North County.

This renovation has been needed for a long time ... and because of our bold steps and MoDOT's innovation, we have made a real change to this system.

Another very successful part of our transportation plan last year was the cost-share program, and I am excited to announce that we will again be putting another \$50 million dollars toward the cost-share program this year.

And before I move on, there is one more very special project that I am so proud to announce, especially in front of Mayor Lucas and our Kansas City delegation ... and that is we will build the Buck O'Neil Bridge.

These investments are exciting to celebrate, and we have been working hard to make them a reality.

We have also been driving greater efficiency and more accountability for Missourians hard earned tax dollars, so that we can reap these returns without increasing taxes.

By rolling up our sleeves and doing the hard work, we have generated impressive cost savings.

The single largest area we have been able to find savings is in the Medicaid system, which accounts for over \$10 billion dollars – over one-third – of our state budget.

Under the leadership of Director Todd Richardson, a new level of accountability and enforcement have been put back in place – both common sense things expected by the average Missourian.

The result has been a savings of \$84 million dollars, further protecting citizens who need the services most, and taxpayers who deserve their tax dollars be used wisely.

While some in the press are eager to criticize this improved efficiency – or outright misrepresent it – the truth is that this system has been broken for many years and unproductively serving every Missourian who is paying for it.

At the same time opponents have been criticizing our increased accountability, they have also been promoting expanding this system.

But, the reality is that expanding this system comes at the cost of other vital services such as education, workforce development, and improving our aging infrastructure.

So, make no mistake about it ... the vague proposal they are not explaining or purposely withholding is a massive tax increase that Missourians cannot afford.

The hard work we are doing to drive efficiency isn't just by supporting policy provisions.

It is fundamentally reforming state government and driving accountability across all systems.

This is a major shift from the same old style of government that is often supported, where small changes are made around the edges, but real changes are thought "too big" and too hard to do.

My administration has and will continue to do the hard work, and the benefit will be for Missouri taxpayers.

The progress we are making is real and exciting ... but, there is more we can do to improve government and promote our state.

We must have real tort reform.

And, another simple way we can improve government and promote Missouri is by offering license reciprocity to the spouses of the men and women who proudly serve our country in the United States military.

As a veteran myself, I am proud that Missouri is home to over 480,000 veterans, and I hope that we can bring more to our state.

Allowing license reciprocity would not only help us attract more military families, but also fill critical jobs in our economy.

And Senator Brown and Representative Lynch, I am counting on you to get that legislation on my desk, very soon.

From the beginning, our state's economy and future financial health have always been of utmost importance to our administration ... and it is our responsibility to pass this on to the next generation.

So, I have one last proposal I will outline today.

As mentioned before, my administration has been more serious than any other in our financial discipline. We have led by example by again leaving over \$100 million dollars on the bottom line.

However, we can do more ...

Which is why I am supporting that we put a cash operating expense fund in place to give our state greater flexibility and stronger finances than ever before.

Since the beginning of our administration, our State Treasurer, Budget Director, and my Chief of Staff have been discussing this opportunity ... and I am proud that we can finally make this vision a reality.

To initiate this fund, I am proposing setting aside \$100 million dollars this year ...

And, to ensure this savings remains stable, we will direct Wayfair collections into this fund until it establishes solvency.

And, we will use the remaining portion to pay off debt obligations, as well as provide another funding mechanism for infrastructure programs done on a cost-share basis.

This final allocation would both increase the long-term financial strength of our state, and create another consistent funding source to further update our aging infrastructure.

Our pro-growth policies and conservative budgeting are working ...

And together, we can set the stage for greatness for Missouri and our future generations.

It is no secret there are elections in the coming months. Everyone here is well aware of this.

But, I'm sure there are some of you here at the end of your term that feel a little differently about the coming months.

When returning home to the people you serve, at the forefront of your mind will be what you accomplished to help improve your communities.

If we thought more about what we accomplished at the end of our time, we would likely spend our days a little differently.

My guess is that we would spend less time fighting each other over the few differences we have and more time working on the things that we agree on.

We have all seen what the outcome of this behavior is when we watch what is going on in Washington, D.C.

Surely we can do better.

Surely as the Show Me State, where our namesake inherently promotes action and results over words, we have a higher sense of obligation to work together.

Some may argue that all these victories are just coincidental ... but I firmly believe they are not.

I believe it is about a commitment to finding a solution while still standing up for your values.

For me, these are values like my faith ... my family ... and our nation's flag.

And, another value I will always stand up for is protecting those who cannot protect themselves. All life has value, including the unborn!

Perhaps it is my gray hair, but I am at the time in my career when what I leave behind and how I leave it is more important than impressing people and worrying about who I am not.

Make no mistake, in this arena you will be attacked.

You will have to endure reading nothing but speculation about your motives, your commitment, and your beliefs.

But, you also have to choose to stand against these attempts to divide one another, and instead be a leader.

As long as I am allowed to serve the people, I will work hard to make Missouri better and hand it off to whomever follows me in better shape than I received it.

So, my final call is to challenge each of you to know one another better.

This also means that we have to be willing to trust one another more.

And my hope in the near future is that all of us will be able to celebrate more successes with one another ... but the real benefits will be for the people of Missouri and our future generations.

It is an honor and privilege to be the 57th Governor of the State of Missouri.

God bless you, God bless the great State of Missouri, and God bless the United States of America.

On motion of Senator Rowden, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Kehoe.

RESOLUTIONS

Senator Burlison offered Senate Resolution No. 1051, regarding Bailey Richardson, Fair Grove, which was adopted.

Senator Emery offered Senate Resolution No. 1052, regarding Evan Miller, Pleasant Hill, which was adopted.

Senator Emery offered Senate Resolution No. 1053, regarding Kate Burch, Walker, which was adopted.

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 1054, regarding Carlee Long, Paris, which was adopted.

Senator Wallingford offered Senate Resolution No. 1055, regarding Beyonce Hightower, Sikeston, which was adopted.

Senator Wallingford offered Senate Resolution No. 1056, regarding Lauren Crutsinger, Whitewater, which was adopted.

Senator Wallingford offered Senate Resolution No. 1057, regarding Connor Lincoln, Whitewater, which was adopted.

Senator Hoskins offered Senate Resolution No. 1058, regarding Seth Hansen, Chillicothe, which was adopted.

Senator Hough offered Senate Resolution No. 1059, regarding Maya Huffman, Springfield, which was adopted.

Senator Schatz offered Senate Resolution No. 1060, regarding Anna Loucks, Wildwood, which was adopted.

Senator Sater offered Senate Resolution No. 1061, regarding Hannah Adams, Stotts City, which was adopted.

Senator Rowden offered Senate Resolution No. 1062, regarding Matthew Vaughn, Sturgeon, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1063, regarding Hattie Berke, Kirksville, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1064, regarding Alaina Link, Moberly, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1065, regarding Evan Meyer, Bowling Green, which was adopted.

INTRODUCTION OF GUESTS

Senator Onder introduced to the Senate, Pharmacist Erica Crane, Columbia.

Senator Schupp introduced to the Senate, Dr. Mina Charepoo, and her daughters Azin and Lena, Olivette.

Senator Schupp introduced to the Senate, Dana Hockensmith and his wife Sue, Ballwin.

Senator Schupp introduced to the Senate, Physician of the day, Dr. Han Paik, Ballwin.

Senator Romine introduced to the Senate, Sheriff Roger Medley and his wife Judy, Ironton

Senator Crawford introduced to the Senate, James Ludden, Bolivar.

Senator Crawford introduced to the Senate, Dr. Jan Alexander, Fair Play.

Senator Curls introduced to the Senate, Mayor Quinton Lucas, Kansas City.

Senator Libla introduce to the Senate, Scout Master Bob Summers, former representative and Assistant Scout Master Todd Richardson, Poplar Bluff.

Senator Schatz introduced to the Senate, Lynn Unnerstall, Washington.

Senator Holsman introduced to the Senate, Cathy Dean, Kansas City.

Senator Holsman introduced to the Senate, his father Gale Holsman; his wife Robyn, and children Savannah, and Grant, Kansas City.

Senator Williams introduced to the Senate, Curtis Brambel, Provo, Utah.

Senator Burlison introduced to the Senate, Justin Coyan, his wife Teresa, children Connor and Kinley; and Connor and Kinley were made honorary pages, Rogersville.

Senator Hoskins introduced to the Senate, Chris McCreary CPA, Centerview.

Senator Hoskins introduced to the Senate, Dr. Adriatik Likani, Warrensburg.

Senator Schatz introduced to the Senate, former state Senator Engler, Farmington.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—THURSDAY, JANUARY 16, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 609-Sater	SB 629-Sifton
SB 610-Sater	SB 630-Sifton
SB 611-Sater	SB 631-Hegeman
SB 612-Emery	SB 632-Hegeman
SB 613-Emery	SB 633-Hegeman
SB 614-Emery	SB 634-Wieland
SB 615-Cunningham	SB 635-Wieland
SB 616-Cunningham	SB 636-Wieland
SB 617-Cunningham	SB 637-Riddle
SB 618-Wallingford	SB 638-Riddle
SB 619-Wallingford	SB 639-Riddle
SB 620-Wallingford	SB 640-Onder
SB 621-Romine	SB 641-Onder
SB 622-Romine	SB 642-Onder
SB 623-Libla	SB 643-Hoskins
SB 624-Libla	SB 644-Hoskins
SB 625-Libla	SB 645-Hoskins
SB 626-Nasheed	SB 646-Koenig
SB 627-Nasheed	SB 647-Koenig
SB 628-Sifton	SB 648-Koenig

SB 649-Eigel	SB 690-Cunningham
SB 650-Eigel	SB 691-Cunningham
SB 651-Eigel	SB 692-Cunningham
SB 652-Crawford	SB 693-Wallingford
SB 653-Crawford	SB 694-Wallingford
SB 654-Crawford	SB 695-Sifton
SB 655-Cierpiot	SB 696-Sifton
SB 656-Cierpiot	SB 697-Sifton
SB 657-Arthur	SB 698-Wieland
SB 658-Arthur	SB 699-Riddle
SB 659-Arthur	SB 700-Onder
SB 660-Bernskoetter	SB 701-Onder
SB 661-Bernskoetter	SB 702-Onder
SB 662-Bernskoetter	SB 703-Hoskins
SB 663-Burlison	SB 704-Hoskins
SB 664-Burlison	SB 705-Koenig
SB 665-Burlison	SB 706-Koenig
SB 666-White	SB 707-Koenig
SB 667-White	SB 708-Eigel
SB 668-White	SB 709-Eigel
SB 669-Hough	SB 710-Eigel
SB 670-Hough	SB 711-Arthur
SB 671-Hough	SB 712-Arthur
SB 672-Brown	SB 713-Arthur
SB 673-Brown	SB 714-Burlison
SB 674-Brown	SB 715-Burlison
SB 675-Luetkemeyer	SB 716-Burlison
SB 676-Luetkemeyer	SB 717-White
SB 677-Luetkemeyer	SB 718-White
SB 679-O'Laughlin	SB 719-White
SB 680-O'Laughlin	SB 720-Hough
SB 681-May	SB 721-Hough
SB 682-May	SB 722-Hough
SB 683-May	SB 723-Brown
SB 684-Sater	SB 724-Brown
SB 685-Sater	SB 725-Brown
SB 686-Sater	SB 726-Luetkemeyer
SB 687-Emery	SB 727-Luetkemeyer
SB 688-Emery	SB 728-Luetkemeyer
SB 689-Emery	SB 729-Sater

SB 730-Sater	SB 770-Hough
SB 731-Sater	SB 771-Wallingford
SB 732-Emery	SB 772-Romine
SB 733-Emery	SB 773-Riddle
SB 734-Emery	SB 774-Brown
SB 735-Sifton	SB 775-Schatz
SB 736-Sifton	SB 776-Cunningham
SB 737-Sifton	SB 777-Wallingford
SB 738-Onder	SB 778-Hoskins
SB 739-Onder	SB 779-Crawford
SB 740-Onder	SB 780-Hough
SB 741-Koenig	SB 781-Brown
SB 742-Koenig	SB 782-Brown
SB 743-Eigel	SB 783-Brown
SB 744-Eigel	SB 784-Wallingford
SB 745-Burlison	SB 785-Koenig
SB 746-Burlison	SB 786-Romine
SB 747-Burlison	SB 787-Romine
SB 748-White	SB 788-Schupp
SB 749-White	SB 789-Schupp
SB 750-White	SB 790-Schupp
SB 751-Hough	SB 791-Eigel
SB 752-Brown	SB 792-Eigel
SB 753-Brown	SB 793-Koenig
SB 754-Luetkemeyer	SB 794-Eigel
SB 755-Sater	SB 795-Hough
SB 756-Sifton	SRB 796-Hough
SB 757-Onder	SB 797-Wieland
SB 758-Onder	SB 798-Hoskins
SB 759-Onder	SB 799-Schupp
SB 760-Burlison	SB 800-Schupp
SB 761-Burlison	SB 801-Koenig
SB 762-Burlison	SB 802-Hegeman
SB 763-White	SB 803-Crawford
SB 764-Onder	SB 804-Cunningham
SB 765-Onder	SB 805-Hoskins
SB 766-Onder	SB 806-Koenig
SB 767-Burlison	SB 807-Crawford
SB 768-Onder	SB 808-Crawford
SB 769-Burlison	SB 809-Brown

SB 810-Luetkemeyer	SB 850-O'Laughlin
SB 811-Luetkemeyer	SB 851-O'Laughlin
SB 812-Sater	SB 852-Hegeman
SB 813-Sater	SB 853-Crawford
SB 814-Nasheed	SB 854-Crawford
SB 815-Eigel	SB 855-Wieland
SB 816-Crawford	SB 856-Wieland
SB 817-Crawford	SB 857-Luetkemeyer
SB 818-Wallingford	SB 858-Hegeman
SB 819-Wallingford	SB 859-Hegeman
SB 820-Burlison	SB 860-Hegeman
SB 821-Hough	SB 861-White
SB 822-Wallingford	SB 862-White
SB 823-Wallingford	SB 863-Brown
SB 824-Wallingford	SB 864-Brown
SB 825-Libla	SB 865-Brown
SB 826-White	SB 866-Brown
SB 827-White	SB 867-Brown
SB 828-Hough	SB 868-Brown
SB 829-Hough	SB 869-Hough
SB 830-Cunningham	SB 870-Hough
SB 831-Cunningham	SB 871-Nasheed
SB 832-Cunningham	SB 872-Crawford
SB 833-Luetkemeyer	SB 873-Crawford
SB 834-Brown	SB 874-Sater
SB 835-Brown	SB 875-Emery
SB 836-Onder	SB 876-Libla
SB 837-White	SB 877-Burlison
SB 838-White	SB 878-Burlison
SB 839-Wallingford	SB 879-Burlison
SB 840-Arthur	SB 880-Rowden
SB 841-Arthur	SB 881-Wieland
SB 842-Emery	SB 882-Wieland
SB 843-Burlison	SB 883-Hoskins
SB 844-Burlison	SB 884-Hoskins
SB 845-Burlison	SB 885-Walsh
SB 846-Sater	SB 886-Walsh
SB 847-Eigel	SB 887-Walsh
SB 848-Eigel	SB 888-Koenig
SB 849-Eigel	SB 889-Koenig

SB 890-Koenig
SB 891-Burlison
SB 892-Burlison
SB 893-Burlison
SB 895-Eigel
SB 896-Eigel
SJR 39-Hegeman
SJR 40-Koenig
SJR 41-Koenig
SJR 42-Eigel
SJR 43-Eigel
SJR 44-Eigel
SJR 45-Cierpiot
SJR 46-Cierpiot

SJR 47-Cierpiot
SJR 48-Luetkemeyer
SJR 49-O’Laughlin
SJR 50-O’Laughlin
SJR 51-May
SJR 52-Eigel
SJR 53-Eigel
SJR 54-Eigel
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel
SJR 59-Eigel

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Journal of the Senate

SECOND REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 16, 2020

The Senate met pursuant to adjournment.

Senator Hough in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will mediate on all your work, and muse on your mighty deeds... You are the God who works wonders;” (Psalm 76:12,14a)

Mighty God, we gather for a short time and then go our separate ways in hope that we are on the path that You would have us take. We pray that You will surely guide us safely back to love ones and that our time will be used in loving ways and our efforts witness to our faith in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—2

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1066, regarding William B. “Bill” Ash, St. Louis, which was adopted.

Senator White offered Senate Resolution No. 1067, regarding Mary Ann Phillips, Joplin, which was adopted.

Senator Walsh offered Senate Resolution No. 1068, regarding the One Hundred and First birthday of Adolphus Thaddeus Watson, Florissant, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 897—By Cierpiot.

An Act to repeal sections 287.140, 287.141, 287.800, and 287.801, RSMo, and to enact in lieu thereof five new sections relating to reviews of workers’ compensation claims, with existing penalty provisions.

SB 898—By Cunningham.

An Act to repeal sections 197.305 and 197.318, RSMo, and to enact in lieu thereof two new sections relating to the occupancy rate of health care facilities.

SB 899—By Brown.

An Act to amend supreme court rules 21.03, 21.04, 21.05, 21.06, 21.09, 21.10, 22.03, 22.04, 22.05, 22.07, 22.08, 22.09, 33.01, 33.02, 33.04, 33.05, 33.06, 33.07, 33.08, 33.09, 33.10, and 33.11, relating to criminal procedure.

SB 900—By Sifton.

An Act to amend chapter 379, RSMo, by adding thereto two new sections relating to inducements to insurance.

SB 901—By Wallingford.

An Act to repeal sections 104.020, 104.035, 104.130, 104.170, 104.200, 104.312, 104.410, 104.436, 104.490, 104.515, 104.625, 104.810, 104.1003, 104.1015, 104.1018, 104.1024, 104.1051, 104.1060, 104.1066, 104.1072, 104.1084, 104.1091, and 476.521, RSMo, and to enact in lieu thereof twenty-two new sections relating to public employee retirement systems, with an existing penalty provision.

SB 902—By Wallingford.

An Act to repeal sections 407.400 and 407.405, RSMo, and to enact in lieu thereof two new sections relating to pyramid sales schemes.

SB 903—By Wieland.

An Act to amend chapter 386, RSMo, by adding thereto seventeen new sections relating to financing for electrical corporations.

SB 904—By Wieland.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to health care provider-

based facility fees.

SB 905—By Eigel.

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to a residency requirement for personnel of certain municipal police forces.

COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following escort committee pursuant to **HCR 58**: Senators Arthur, Emery, Luetkemeyer, May, O’Laughlin, Onder, Rizzo, Schupp, Sifton and Wieland.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Shalonn (Kiki) Curls, Democrat, as a member of the Labor and Industrial Relations Commission;

Also,

Jason R. Holsman, as a member of the Public Service Commission;

Also,

Lynne Unnerstall, Dr. Mina Charepoo, Dana A. Hockensmith and Teresa E. Coyan, as members of the Mental Health Commission;

Also,

Jane Anne Emerson, Eric S. Hart and Betty Jean Sisco, as members of the Missouri Brain Injury Advisory Council;

Also,

Robert M. Barrett, as Commissioner of the Division of Finance for the Department of Commerce and Insurance;

Also,

Bradley Madison Scott, Republican, as a member of the Jackson County Sports Complex Authority;

Also,

Everidge Cade, Jr., Democrat, as a member of the Lincoln University Board of Curators;

Also,

Kermit K. Hargis, Republican, as a member of the Missouri Emergency Response Commission;

Also,

James Ludden, Republican, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Dr. Adriatik Likcani, Independent, as a member of the State Committee of Marital and Family Therapists;

Chris A. McCreary, Democrat, as a member of the Credit Union Commission;

Also,

Catherine Bass Black, as a member of the Missouri Workforce Development Board;

Also,

John “Jay” Wasson, Republican, as a member of the Missouri State University Board of Governors;

Also,

Thomas H. Skinner, as a member of the Board of Private Investigator and Private Fire Investigator Examiners;

Also,

Cathy J. Dean, as a member of the Kansas City Board of Police Commissioners;

Also,

Roger Medley and Bridget Lovelle, as members of the Amber Alert System Oversight Committee;

Also,

Kenneth J. Zellers, as Director of the Department of Revenue;

Also,

Sarah Mills Rottgers, as a member of the Missouri Achieving a Better Life Experience Board;

Also,

Aimee Agderian, as a member of the Peace Officer Standards and Training Commission;

Also,

Mark J. Elliff, Republican and Rick McDowell, Republican, as members of the Missouri Housing Development Commission;

Also,

William T. Kane, as a member of the Missouri Dental Board;

Also,

Kaylyn L. Lambert, Sarah Oerther, Dr. Sam L. Alexander and Dr. Nick Pfannenstiel, as members of the MO HealthNet Oversight Committee;

Also,

Blake Sherer, Republican, as a member of the Clay County Board of Election Commissioners;

Also,

Dr. David E. Tannehill, Independent, as a member of the State Board of Registration for the Healing

Arts; and

Kurt D. Witzel, Republican, as a member of the Tourism Commission.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 609—Seniors, Families and Children.

SB 610—Small Business and Industry.

SB 611—Seniors, Families and Children.

SB 612—Judiciary and Civil and Criminal Jurisprudence.

SB 613—Government Reform.

SB 614—Government Reform.

SB 615—Local Government and Elections.

SB 616—Local Government and Elections.

SB 617—Health and Pensions.

SB 618—Commerce, Consumer Protection, Energy and the Environment.

SB 619—Commerce, Consumer Protection, Energy and the Environment.

SB 620—General Laws.

SB 621—Local Government and Elections.

SB 622—Education.

SB 623—Seniors, Families and Children.

SB 624—Small Business and Industry.

SB 625—Seniors, Families and Children.

SB 626—Education.

SB 627—Education.

SB 628—Small Business and Industry.

SB 629—Seniors, Families and Children.

SB 630—Health and Pensions.

SB 631—Local Government and Elections.

SB 632—Commerce, Consumer Protection, Energy and the Environment.

SB 633—Government Reform.

SB 634—Insurance and Banking.

SB 635—General Laws.

SB 636—Economic Development.

COMMUNICATIONS

Senator Holsman submitted the following:

January 16, 2020

Ms. Adriane Crouse
Secretary of the Senate
Missouri Senate
State Capitol Building, Room 325
Jefferson City, Missouri 65101

Dear Secretary Crouse:

I hereby submit my letter of resignation to you as State Senator from Missouri's 7th District, Kansas City and Jackson County, effective immediately, 9:55 a.m., January 16, 2020.

Sincerely,



Jason R. Holsman
State Senator
District 7
Kansas City and Jackson County

Also,

January 16, 2020

Ms. Adriane Crouse
Secretary of the Senate
Missouri Senate
State Capitol Building, Room 325
Jefferson City, Missouri 65101

Dear Secretary Crouse:

I respectfully request that Senator Lauren Arthur, District 17, be made the bill sponsor for Senate Bill 544 immediately upon my resignation from the Senate and through the remainder of the bill's passage.

Sincerely,



Jason R. Holsman
State Senator
District 7
Kansas City and Jackson County

Also,

January 16, 2020

Ms. Adriane Crouse
Secretary of the Senate
Missouri Senate
State Capitol Building, Room 325
Jefferson City, Missouri 65101

Dear Secretary Crouse:

I respectfully request that Senator Bill Eigel of the 23rd Senatorial District be made the bill sponsor for Senate Joint Resolution 36 immediately upon my resignation from the Senate and through the remainder of the bill's passage.

Sincerely,



Jason R. Holsman
State Senator
District 7
Kansas City and Jackson County

Senator Curls submitted the following:

January 16, 2020

Ms. Adriane Crouse
Secretary of the Senate
Missouri Senate
201 W. Capitol Ave.
Jefferson City, MO 65101

Dear Madam Secretary:

Please accept this letter as my official resignation as State Senator for the 9th Senatorial District, effective 9:59 a.m.

I have enjoyed my tenure as Missouri State Senator and appreciate the constituents of my district, trusting me to represent them for the past nine years. It has been a wonderful opportunity to serve with a true class of statesmen, here in the Missouri Senate.

Wishing all the best to my colleagues, as they embark upon another Legislative Session.

Respectfully Submitted,

/s/ S. Kiki Curls

Senator Shalonn "Kiki" Curls
9th District, Kansas City

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. Lauren Umstattd, MD, Columbia.

Senator Romine introduced to the Senate, Darwin Rouse, his wife Katherine, and children Porter, Abigail and Tanner, Arcadia.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Tuesday, January 21, 2020.

SENATE CALENDAR

SEVENTH DAY—TUESDAY, JANUARY 21, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 637-Riddle	SB 667-White
SB 638-Riddle	SB 668-White
SB 639-Riddle	SB 669-Hough
SB 640-Onder	SB 670-Hough
SB 641-Onder	SB 671-Hough
SB 642-Onder	SB 672-Brown
SB 643-Hoskins	SB 673-Brown
SB 644-Hoskins	SB 674-Brown
SB 645-Hoskins	SB 675-Luetkemeyer
SB 646-Koenig	SB 676-Luetkemeyer
SB 647-Koenig	SB 677-Luetkemeyer
SB 648-Koenig	SB 679-O’Laughlin
SB 649-Eigel	SB 680-O’Laughlin
SB 650-Eigel	SB 681-May
SB 651-Eigel	SB 682-May
SB 652-Crawford	SB 683-May
SB 653-Crawford	SB 684-Sater
SB 654-Crawford	SB 685-Sater
SB 655-Cierpiot	SB 686-Sater
SB 656-Cierpiot	SB 687-Emery
SB 657-Arthur	SB 688-Emery
SB 658-Arthur	SB 689-Emery
SB 659-Arthur	SB 690-Cunningham
SB 660-Bernskoetter	SB 691-Cunningham
SB 661-Bernskoetter	SB 692-Cunningham
SB 662-Bernskoetter	SB 693-Wallingford
SB 663-Burlison	SB 694-Wallingford
SB 664-Burlison	SB 695-Sifton
SB 665-Burlison	SB 696-Sifton
SB 666-White	SB 697-Sifton

SB 698-Wieland	SB 738-Onder
SB 699-Riddle	SB 739-Onder
SB 700-Onder	SB 740-Onder
SB 701-Onder	SB 741-Koenig
SB 702-Onder	SB 742-Koenig
SB 703-Hoskins	SB 743-Eigel
SB 704-Hoskins	SB 744-Eigel
SB 705-Koenig	SB 745-Burlison
SB 706-Koenig	SB 746-Burlison
SB 707-Koenig	SB 747-Burlison
SB 708-Eigel	SB 748-White
SB 709-Eigel	SB 749-White
SB 710-Eigel	SB 750-White
SB 711-Arthur	SB 751-Hough
SB 712-Arthur	SB 752-Brown
SB 713-Arthur	SB 753-Brown
SB 714-Burlison	SB 754-Luetkemeyer
SB 715-Burlison	SB 755-Sater
SB 716-Burlison	SB 756-Sifton
SB 717-White	SB 757-Onder
SB 718-White	SB 758-Onder
SB 719-White	SB 759-Onder
SB 720-Hough	SB 760-Burlison
SB 721-Hough	SB 761-Burlison
SB 722-Hough	SB 762-Burlison
SB 723-Brown	SB 763-White
SB 724-Brown	SB 764-Onder
SB 725-Brown	SB 765-Onder
SB 726-Luetkemeyer	SB 766-Onder
SB 727-Luetkemeyer	SB 767-Burlison
SB 728-Luetkemeyer	SB 768-Onder
SB 729-Sater	SB 769-Burlison
SB 730-Sater	SB 770-Hough
SB 731-Sater	SB 771-Wallingford
SB 732-Emery	SB 772-Romine
SB 733-Emery	SB 773-Riddle
SB 734-Emery	SB 774-Brown
SB 735-Sifton	SB 775-Schatz
SB 736-Sifton	SB 776-Cunningham
SB 737-Sifton	SB 777-Wallingford

SB 778-Hoskins	SB 818-Wallingford
SB 779-Crawford	SB 819-Wallingford
SB 780-Hough	SB 820-Burlison
SB 781-Brown	SB 821-Hough
SB 782-Brown	SB 822-Wallingford
SB 783-Brown	SB 823-Wallingford
SB 784-Wallingford	SB 824-Wallingford
SB 785-Koenig	SB 825-Libla
SB 786-Romine	SB 826-White
SB 787-Romine	SB 827-White
SB 788-Schupp	SB 828-Hough
SB 789-Schupp	SB 829-Hough
SB 790-Schupp	SB 830-Cunningham
SB 791-Eigel	SB 831-Cunningham
SB 792-Eigel	SB 832-Cunningham
SB 793-Koenig	SB 833-Luetkemeyer
SB 794-Eigel	SB 834-Brown
SB 795-Hough	SB 835-Brown
SRB 796-Hough	SB 836-Onder
SB 797-Wieland	SB 837-White
SB 798-Hoskins	SB 838-White
SB 799-Schupp	SB 839-Wallingford
SB 800-Schupp	SB 840-Arthur
SB 801-Koenig	SB 841-Arthur
SB 802-Hegeman	SB 842-Emery
SB 803-Crawford	SB 843-Burlison
SB 804-Cunningham	SB 844-Burlison
SB 805-Hoskins	SB 845-Burlison
SB 806-Koenig	SB 846-Sater
SB 807-Crawford	SB 847-Eigel
SB 808-Crawford	SB 848-Eigel
SB 809-Brown	SB 849-Eigel
SB 810-Luetkemeyer	SB 850-O'Laughlin
SB 811-Luetkemeyer	SB 851-O'Laughlin
SB 812-Sater	SB 852-Hegeman
SB 813-Sater	SB 853-Crawford
SB 814-Nasheed	SB 854-Crawford
SB 815-Eigel	SB 855-Wieland
SB 816-Crawford	SB 856-Wieland
SB 817-Crawford	SB 857-Luetkemeyer

SB 858-Hegeman	SB 892-Burlison
SB 859-Hegeman	SB 893-Burlison
SB 860-Hegeman	SB 895-Eigel
SB 861-White	SB 896-Eigel
SB 862-White	SB 897-Cierpiot
SB 863-Brown	SB 898-Cunningham
SB 864-Brown	SB 899-Brown
SB 865-Brown	SB 900-Sifton
SB 866-Brown	SB 901-Wallingford
SB 867-Brown	SB 902-Wallingford
SB 868-Brown	SB 903-Wieland
SB 869-Hough	SB 904-Wieland
SB 870-Hough	SB 905-Eigel
SB 871-Nasheed	SJR 39-Hegeman
SB 872-Crawford	SJR 40-Koenig
SB 873-Crawford	SJR 41-Koenig
SB 874-Sater	SJR 42-Eigel
SB 875-Emery	SJR 43-Eigel
SB 876-Libla	SJR 44-Eigel
SB 877-Burlison	SJR 45-Cierpiot
SB 878-Burlison	SJR 46-Cierpiot
SB 879-Burlison	SJR 47-Cierpiot
SB 880-Rowden	SJR 48-Luetkemeyer
SB 881-Wieland	SJR 49-O'Laughlin
SB 882-Wieland	SJR 50-O'Laughlin
SB 883-Hoskins	SJR 51-May
SB 884-Hoskins	SJR 52-Eigel
SB 885-Walsh	SJR 53-Eigel
SB 886-Walsh	SJR 54-Eigel
SB 887-Walsh	SJR 55-Eigel
SB 888-Koenig	SJR 56-Burlison
SB 889-Koenig	SJR 57-Onder
SB 890-Koenig	SJR 58-Eigel
SB 891-Burlison	SJR 59-Eigel

Journal of the Senate

SECOND REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 21, 2020

The Senate met pursuant to adjournment.

Senator Romine in the Chair.

Senator Wallingford offered the following prayer:

“Teach me to do your will; for you are my God. Let your good spirit lead me on a level path.” (Psalm 143:10)

Gracious God, You help us to live gracefully by blessing us with wonderful friends and colleagues and especially people like Martin Luther King, Jr. who laid out a vision for people to love one another as he had been taught of Your love Lord. We are thankful for him and others who know You and by their lives show us how to be upright and loving so as to witness to others who see You in our lives. Walk with us and make us as good and helpful as You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 16, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—2

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1069, regarding Garland G. Barton, Alton, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1070, regarding Missouri Dump Truckers Association, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1071, regarding Terrace Boudinier, Bowling Green, which was adopted.

Senator Libla offered Senate Resolution No. 1072, regarding Roger A. Wheeler Sr., which was adopted.

Senator Libla offered Senate Resolution No. 1073, regarding Michael Roland Meeks, which was adopted.

Senator Libla offered Senate Resolution No. 1074, regarding Nathan Richardet Sr., which was adopted.

Senator Libla offered Senate Resolution No. 1075, regarding Roy Cato, which was adopted.

Senator Libla offered Senate Resolution No. 1076, regarding Debbie Morgan, which was adopted.

Senator Libla offered Senate Resolution No. 1077, regarding Terry Farmer, which was adopted.

Senator Libla offered Senate Resolution No. 1078, regarding John Cooper, which was adopted.

Senator Libla offered Senate Resolution No. 1079, regarding Clem Deken, which was adopted.

Senator Libla offered Senate Resolution No. 1080, regarding Richard Rios, which was adopted.

Senator Libla offered Senate Resolution No. 1081, regarding Randy Stricker, which was adopted.

Senator Libla offered Senate Resolution No. 1082, regarding James “Larry” Kimbrow, which was adopted.

Senator Rizzo offered Senate Resolution No. 1083, regarding David Ben Hawkins, Independence, which was adopted.

CONCURRENT RESOLUTIONS

Senator O’Laughlin offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 38

Relating to the disapproval of the Missouri Hazardous Waste Management Commission’s recommendations regarding the fees and taxes of the Hazardous Waste Management Commission.

Whereas, the Hazardous Waste Management Commission of the State of Missouri is required pursuant to Sections 260.380 and 260.475 of the Revised Statutes of Missouri to complete a comprehensive review of the fee structure of hazardous waste management fees and promulgate by regulation a rule adopting any updated fees based on its comprehensive review; and

Whereas, on August 30, 2019, the Hazardous Waste Management Commission filed with the Secretary of State a proposed amendment to 10 CSR 25-12.010 Fees and Taxes; and

Whereas, the proposed amendment to 10 CSR 25-12.010 increases the fees to generators of hazardous waste beyond the level which the General Assembly considers to be fair and reasonable; and

Whereas, Sections 260.380 and 260.475 of the Revised Statutes of Missouri permits the General Assembly to disapprove, within the first sixty days of the regular session, the promulgated fee changes:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby disapprove of the new fees and taxes contained in the proposed amendment to 10 CSR

25-12.010 and provide that the Hazardous Waste Management Commission shall continue to use values set forth in the most recent preceding regulation promulgated under Sections 260.380 and 260.475 of the Revised Statutes of Missouri; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Mike Parson and the Missouri Hazardous Waste Management Commission.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 906—By Libla.

An Act to repeal sections 32.300, 301.010, 301.020, 301.055, 301.057, 301.058, 301.070, 302.170, 302.181, and 303.026, RSMo, and to enact in lieu thereof ten new sections relating to the department of revenue, with existing penalty provisions and a delayed effective date for certain sections.

SB 907—By Arthur.

An Act to amend chapter 49, RSMo, by adding thereto three new sections relating to county commissioners.

SB 908—By Hough.

An Act to repeal section 485.060, RSMo, and to enact in lieu thereof one new section relating to compensation of court reporters.

SB 909—By Wallingford.

An Act to amend chapter 198, RSMo, by adding thereto twelve new sections relating to the protection of residents living in long-term care facilities, with penalty provisions.

SB 910—By Wallingford.

An Act to repeal section 174.453, RSMo, and to enact in lieu thereof two new sections relating to statewide missions of institution of higher education.

RE-REFERRALS

President Pro Tem Schatz re-referred **SJR 34** to the Committee on Transportation, Infrastructure and Public Safety.

COMMUNICATIONS

Senator Walsh submitted the following:

January 21, 2020

Adriane Crouse – Secretary of the Senate

State Capitol, Room 325

Jefferson City, Missouri 65101

Dear Adriane:

The recent resignation of Senator Curls has created a vacancy in a minority caucus position on the Gubernatorial Appointments Committee. Pursuant to the provisions of Senate Rule 12, I hereby appoint myself, Senator Gina Walsh, to fill this position.

Sincerely,



Gina Walsh

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 22, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 637-Riddle	SB 671-Hough
SB 638-Riddle	SB 672-Brown
SB 639-Riddle	SB 673-Brown
SB 640-Onder	SB 674-Brown
SB 641-Onder	SB 675-Luetkemeyer
SB 642-Onder	SB 676-Luetkemeyer
SB 643-Hoskins	SB 677-Luetkemeyer
SB 644-Hoskins	SB 679-O’Laughlin
SB 645-Hoskins	SB 680-O’Laughlin
SB 646-Koenig	SB 681-May
SB 647-Koenig	SB 682-May
SB 648-Koenig	SB 683-May
SB 649-Eigel	SB 684-Sater
SB 650-Eigel	SB 685-Sater
SB 651-Eigel	SB 686-Sater
SB 652-Crawford	SB 687-Emery
SB 653-Crawford	SB 688-Emery
SB 654-Crawford	SB 689-Emery
SB 655-Cierpiot	SB 690-Cunningham
SB 656-Cierpiot	SB 691-Cunningham
SB 657-Arthur	SB 692-Cunningham
SB 658-Arthur	SB 693-Wallingford
SB 659-Arthur	SB 694-Wallingford
SB 660-Bernskoetter	SB 695-Sifton
SB 661-Bernskoetter	SB 696-Sifton
SB 662-Bernskoetter	SB 697-Sifton
SB 663-Burlison	SB 698-Wieland
SB 664-Burlison	SB 699-Riddle
SB 665-Burlison	SB 700-Onder
SB 666-White	SB 701-Onder
SB 667-White	SB 702-Onder
SB 668-White	SB 703-Hoskins
SB 669-Hough	SB 704-Hoskins
SB 670-Hough	SB 705-Koenig

SB 706-Koenig	SB 750-White
SB 707-Koenig	SB 751-Hough
SB 708-Eigel	SB 752-Brown
SB 709-Eigel	SB 753-Brown
SB 710-Eigel	SB 754-Luetkemeyer
SB 711-Arthur	SB 755-Sater
SB 712-Arthur	SB 756-Sifton
SB 713-Arthur	SB 757-Onder
SB 714-Burlison	SB 758-Onder
SB 715-Burlison	SB 759-Onder
SB 716-Burlison	SB 760-Burlison
SB 717-White	SB 761-Burlison
SB 718-White	SB 762-Burlison
SB 719-White	SB 763-White
SB 720-Hough	SB 764-Onder
SB 721-Hough	SB 765-Onder
SB 722-Hough	SB 766-Onder
SB 723-Brown	SB 767-Burlison
SB 724-Brown	SB 768-Onder
SB 725-Brown	SB 769-Burlison
SB 726-Luetkemeyer	SB 770-Hough
SB 727-Luetkemeyer	SB 771-Wallingford
SB 728-Luetkemeyer	SB 772-Romine
SB 729-Sater	SB 773-Riddle
SB 730-Sater	SB 774-Brown
SB 731-Sater	SB 775-Schatz
SB 732-Emery	SB 776-Cunningham
SB 733-Emery	SB 777-Wallingford
SB 734-Emery	SB 778-Hoskins
SB 735-Sifton	SB 779-Crawford
SB 736-Sifton	SB 780-Hough
SB 737-Sifton	SB 781-Brown
SB 738-Onder	SB 782-Brown
SB 739-Onder	SB 783-Brown
SB 740-Onder	SB 784-Wallingford
SB 741-Koenig	SB 785-Koenig
SB 742-Koenig	SB 786-Romine
SB 743-Eigel	SB 787-Romine
SB 744-Eigel	SB 788-Schupp
SB 745-Burlison	SB 789-Schupp
SB 746-Burlison	SB 790-Schupp
SB 747-Burlison	SB 791-Eigel
SB 748-White	SB 792-Eigel
SB 749-White	SB 793-Koenig

SB 794-Eigel	SB 838-White
SB 795-Hough	SB 839-Wallingford
SRB 796-Hough	SB 840-Arthur
SB 797-Wieland	SB 841-Arthur
SB 798-Hoskins	SB 842-Emery
SB 799-Schupp	SB 843-Burlison
SB 800-Schupp	SB 844-Burlison
SB 801-Koenig	SB 845-Burlison
SB 802-Hegeman	SB 846-Sater
SB 803-Crawford	SB 847-Eigel
SB 804-Cunningham	SB 848-Eigel
SB 805-Hoskins	SB 849-Eigel
SB 806-Koenig	SB 850-O'Laughlin
SB 807-Crawford	SB 851-O'Laughlin
SB 808-Crawford	SB 852-Hegeman
SB 809-Brown	SB 853-Crawford
SB 810-Luetkemeyer	SB 854-Crawford
SB 811-Luetkemeyer	SB 855-Wieland
SB 812-Sater	SB 856-Wieland
SB 813-Sater	SB 857-Luetkemeyer
SB 814-Nasheed	SB 858-Hegeman
SB 815-Eigel	SB 859-Hegeman
SB 816-Crawford	SB 860-Hegeman
SB 817-Crawford	SB 861-White
SB 818-Wallingford	SB 862-White
SB 819-Wallingford	SB 863-Brown
SB 820-Burlison	SB 864-Brown
SB 821-Hough	SB 865-Brown
SB 822-Wallingford	SB 866-Brown
SB 823-Wallingford	SB 867-Brown
SB 824-Wallingford	SB 868-Brown
SB 825-Libla	SB 869-Hough
SB 826-White	SB 870-Hough
SB 827-White	SB 871-Nasheed
SB 828-Hough	SB 872-Crawford
SB 829-Hough	SB 873-Crawford
SB 830-Cunningham	SB 874-Sater
SB 831-Cunningham	SB 875-Emery
SB 832-Cunningham	SB 876-Libla
SB 833-Luetkemeyer	SB 877-Burlison
SB 834-Brown	SB 878-Burlison
SB 835-Brown	SB 879-Burlison
SB 836-Onder	SB 880-Rowden
SB 837-White	SB 881-Wieland

SB 882-Wieland
SB 883-Hoskins
SB 884-Hoskins
SB 885-Walsh
SB 886-Walsh
SB 887-Walsh
SB 888-Koenig
SB 889-Koenig
SB 890-Koenig
SB 891-Burlison
SB 892-Burlison
SB 893-Burlison
SB 895-Eigel
SB 896-Eigel
SB 897-Cierpiot
SB 898-Cunningham
SB 899-Brown
SB 900-Sifton
SB 901-Wallingford
SB 902-Wallingford
SB 903-Wieland
SB 904-Wieland
SB 905-Eigel
SB 906-Libla
SB 907-Arthur

SB 908-Hough
SB 909-Wallingford
SB 910-Wallingford
SJR 39-Hegeman
SJR 40-Koenig
SJR 41-Koenig
SJR 42-Eigel
SJR 43-Eigel
SJR 44-Eigel
SJR 45-Cierpiot
SJR 46-Cierpiot
SJR 47-Cierpiot
SJR 48-Luetkemeyer
SJR 49-O’Laughlin
SJR 50-O’Laughlin
SJR 51-May
SJR 52-Eigel
SJR 53-Eigel
SJR 54-Eigel
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel
SJR 59-Eigel

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 38-O’Laughlin

✓

Journal of the Senate

SECOND REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 22, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Lord, what are human beings that you regard them, or mortals that you think of them.” (Psalm 144: 3)

We are grateful Lord that You are mindful of us and willingly fill life with sunlight and promise. But we have darkened our world with intolerance for those who don't think like we do and others who don't look like us. Let we who come to this chamber be like those You desire us to be, conversing freely and willingly hear one another. Shine Your love on us and lift our eyes so we can see the hope You offer in these times of darkness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O'Laughlin	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Luetkemeyer offered Senate Resolution No. 1084, regarding Jack Andrew Carlson, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1085, regarding St. Joseph Chamber of Commerce, which was adopted.

Senator Libla offered Senate Resolution No. 1086, regarding Herman Styles Jr., Poplar Bluff, which was adopted.

Senator Onder offered Senate Resolution No. 1087, regarding the One Hundred First Birthday of Isabel Ziegemeier, which was adopted.

Senator Onder offered Senate Resolution No. 1088, regarding the One Hundred Third Birthday of Pauline Sattler, which was adopted.

Senator Brown offered Senate Resolution No. 1089, regarding Rick Harne, St. Robert, which was adopted.

Senator Brown offered Senate Resolution No. 1090, regarding Missouri University of Science and Technology, Rolla, which was adopted.

Senator Bernskoetter, joined by the entire membership, offered Senate Resolution No. 1091, regarding Robert W. “Bob” Watson, which was adopted.

Senator White offered Senate Resolution No. 1092, regarding Billie “Sue” Joslen, Carthage, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee pursuant to **HCR 58**. Representatives: Plocher, Remole, Roden, Spencer, Kelley (127), Lavender, Barringer, Mitten, Roberts, and Washington.

President Kehoe moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Judge George W. Draper III, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Kehoe.

On roll call the following Senators were present:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—2

On roll call the following Representatives were present:

PRESENT: 153

Aldridge	Allred	Anderson	Andrews	Appelbaum	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck	Billington	Black 137
Black 7	Bland Manlove	Bondon	Bosley	Bromley	Brown 27	Brown 70
Burnett	Burns	Busick	Butz	Carpenter	Christofanelli	Clemens
Coleman 32	Coleman 97	Cupps	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Eslinger	Evans	Falkner	Fishel
Fitzwater	Francis	Gannon	Gray	Green	Gregory	Grier
Griesheimer	Griffith	Gunby	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Hill	Houx	Hovis	Hudson
Hurst	Ingle	Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Lavender	Lovasco	Love	Lynch	Mackey
Mayhew	McCreery	McGaugh	McGill	Merideth	Messenger	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel	Murphy	Neely
O'Donnell	Patterson	Person	Pfautsch	Pierson Jr.	Pietzman	Pike
Plocher	Pogue	Pollitt 52	Pollock 123	Porter	Price	Proudie
Quade	Razer	Reedy	Rehder	Remole	Richey	Riggs
Roberts 161	Roberts 77	Roden	Rogers	Rone	Ross	Rowland
Runions	Ruth	Sain	Sauls	Schnelting	Schroer	Sharp 36
Sharpe 4	Shaul 113	Shawan	Shields	Shull 16	Simmons	Smith
Sommer	Spencer	Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Veit	Vescovo	Walsh	Washington
Wiemann	Wilson	Wood	Wright	Young	Mr. Speaker	

ABSENT: 9

Carter	Chappelle-Nadal	Chipman	McDaniel	Miller	Moon	Solon
Toalson Reisch	Windham					

VACANCIES: 1

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, George W. Draper III, escorted the Chief Justice to the dias where he delivered the State of the Judiciary Address to the Joint Assembly:

2020 STATE OF THE JUDICIARY

Missouri Chief Justice George W. Draper III

Lieutenant Governor Kehoe, Secretary of State Ashcroft, Treasurer Fitzpatrick, Attorney General Schmitt, President Pro Tem Schatz, Speaker Hahr, members of this 100th General Assembly, the executive branch and the judicial branch. This opportunity signifies the ultimate cooperation between our branches, tasked with delivering good government and justice for the people we serve. On behalf of my colleagues and myself, we are honored to be here and welcome this time to inform you of the State of your Judiciary.

Bicentennial

History is the tie that binds, and in that regard, let me begin by telling you a bit of my history. I am the great-grandson of a North Carolina slave girl and a union soldier on my mother's side, and a dark-skinned black man from Florida and third-generation German immigrant woman from New Jersey on my father's side. My parents met in college at Howard University in Washington, D.C. They came to Missouri in 1949 so my father could teach at Lincoln, the "separate but equal" law school this legislature had created a decade earlier for Negroes. Then, and as chief of the criminal division in the attorney general's office in the 1950s, he was prevented from dining in certain restaurants here in Jefferson City. This phenomenon was not surprising – after all, our state entered the union as a slave state, via the 1821 Missouri Compromise, and our courts were the genesis of the infamous Dred Scott decision that precipitated the civil war just 40 years later.

Since then, there has been great change, and this year, we celebrate the bicentennial of our Supreme Court. In fact, our Court has instituted a "bicentennial minute" into our conferences. I will share a few highlights with you today.

The first constitution, adopted in July 1820, created for us a three-member Supreme Court. By the way, so coveted was the position that, of the first three individuals Governor Alexander McNair sought to appoint to our now prominent bench, only one accepted – the other two said "no thank you."

Much has changed over the past two centuries. Rather than "riding the circuit" and meeting in courthouses throughout the state, we now have a permanent home – our third, actually ... the red-brick building across the street – for which our Court's first female clerk is overseeing restoration efforts. Early tools of our trade included quill and ink. Yet now we stream our sessions live and publish our decisions online. We are now a seven-member Court. Of the four women who have served on our Court, three are currently on its bench, and I am only the *second* African-American.

Historically and significantly, we are honored to have with us the *first* African-American to serve on our Court – and a former member of this great legislative body – now a federal district judge in St. Louis, I give you The Honorable Ronnie White. Please stand and be recognized, your honor. Thank you.

Although women of color have yet to serve on our Supreme Court, since 1983 several have been members of your state's judiciary. A former member of that group is here today. An accomplished lawyer in her own right, having once served as general counsel for our Missouri Department of Corrections, my best friend since our law school days at Howard – and my wife of 40 years – The Honorable Judy Preddy Draper. Please help me welcome her this morning. I am also really proud to introduce you to the third generation of lawyers from our family – or, as she reminds me, the most highly educated member of our family – the deputy chief of staff to the St. Louis County prosecutor, our daughter, Miss Chelsea Westin Draper.

Circuit realignment

To bring you another "bicentennial minute," you might be interested to learn that Missouri's first constitution established only four circuit courts, each serving four to eight counties! Now our 114 counties and the city of St. Louis are divided into 46 judicial circuits, with our constitution requiring at least one judge in every county.

In 2013, through section 478.073, RSMo, this legislative body authorized the Judicial Conference of Missouri to determine what alteration, if any, is necessary for the geographic boundaries of the state's current judicial circuits. Prior circuit adjustments had been made solely by this legislature.

I do not have to tell the members of this body how incredibly diverse our state is, from vibrant cities to glistening waterways to the hills and valleys of our Ozarks, and how unique the personalities can be of all our cities, towns and villages. To ensure input reflecting the judicial and geographic diversity of our state, we established a 16-member judicial realignment task force.

They have worked diligently over the past two years, making reasonable compromises, to bring to you an honestly workable circuit court realignment plan. Please join me in recognizing this very hard-working group!

The process was arduous, governed by the factors in section 478.073 to determine optimal circuit configuration. Key in the study was mapping various factors to determine if disparities exist between circuits with regard to workload, delay and travel, and how changes in circuit boundaries would affect any observed disparities. Two factors provided strong guidance for circuit realignment – excessive judicial travel and the location of a primary business center across current circuit boundaries. In the report you received last week, the task force recommended moving two counties, resulting in the realignment of only four circuits.

The first recommendation is to move Carter County from the 37th circuit, which now has four counties, to the 36th circuit, which now has two counties. Realigning these circuits will allow Carter County residents to conduct court business where they conduct all their other business – across the current circuit boundary in Poplar Bluff.

The second recommendation is to move Benton County from the 30th circuit, which now has five counties, to the 27th circuit, which now has three counties. The major reason for this recommendation is driving distance, as it now takes one hour and 40 minutes to drive from Warsaw on one end of the circuit to Marshfield on the other. Under the realignment, the 30th circuit's longest drive time would be 30 minutes faster. Less time behind a steering wheel means more time on the bench to serve our citizens.

This report is evidence that we are *all* here to serve the citizens of the great state of Missouri. In the words of Mark Twain:

I hate to hear people say this Judge will vote so and so, because he is a Democrat – and this one so and so because he is a Republican. It is shameful. The Judges have the Constitution for their guidance; they have no right to any politics save the politics of rigid right and justice when they are sitting in judgment upon the great matters that come before them.

As you examine the proposed realignment plan, please note that the Judicial Conference of Missouri – at its annual business meeting, held last fall pursuant to section 476.330, RSMo – endorsed and adopted the plan *without dissent*.

Court technology

As the example with the realignment report shows, some changes in our justice system have been facilitated by the legislature. But many are driven by the courts – and the public we serve.

Perhaps the most transformative of these changes has been technology. Missouri was among the very first states to institute court automation more than two decades ago, altering the way we do business and enhancing the public's ability to participate electronically in cases. They now can sign up for text or e-mail alerts about cases they are following; they can plead guilty and pay fines electronically; and soon we are piloting a new program to let people who have received a ticket file documents, message the prosecutor and submit a proposed sentencing agreement all from their mobile devices.

Let me take this opportunity to thank you for the 2 million in funding you provided our court automation systems last session. The current court automation fee covers only a third of the funding needed to support our case management system, which runs on 25-year-old technology and is likely to reach the end of its meaningful life in as little as 18 months.

We are working hard to build a new system to replace it – we have completed state traffic, ordinance and associate criminal cases; nearly all St. Louis County municipal divisions plus those in 60 other local communities are using it; and we expect to have all criminal cases moved into the new system by the end of this fiscal year. But to continue developing the system at a viable pace, to protect against cyber threats, and to implement more user-friendly features for our citizens, we are asking you to consider an additional 2.8 million in funding as you plan Missouri's fiscal 2021 budget.

Treatment courts

Technology is not the only change the public has demanded over the last 200 years. We currently face a period of change ... and criminal justice reform.

Missouri has been on the national forefront in the fight against addiction. When our courts were established 200 years ago, they were designed merely to resolve disputes. Our courts are now called upon to help resolve the most pressing problems facing our society.

This legislative body passed the first treatment court legislation in 1998. Twenty years later, as the state was grappling with the rising opioid epidemic, this body passed legislation standardizing the way our treatment courts operate and ensuring consistency for treatment court participants. You also authorized our treatment courts to accept participants from locations with no local treatment court, vastly expanding the reach of services. In 2019, you restored core funding and appropriated additional funding to expand the full spectrum of treatment court services.

For all of these actions: thank you! As a result of this collaboration among all three branches of government, Missouri now has more than 100 counties served by more than 120 treatment courts – adult, juvenile, family and DWI courts. And because of House Bill 547, which you also passed last year, we will have treatment courts established in every circuit in the state by August 2021.

The judiciary has also been hard at work to continue improving our treatment courts. During 2019, a task force met monthly to formulate rigorous standards ensuring ongoing consistency and effectiveness for our adult treatment courts. The state's treatment court coordinating commission is scheduled to vote on these standards at its quarterly meeting at the end of this month.

Together, we have built a strong foundation from which our state can continue to fight the substance abuse crisis on multiple fronts – alcohol, opioids and, as health officials have forecast, another rise in methamphetamine use.

Perhaps more significant to you will be the fact we now have 15 treatment courts serving the special needs of veterans in 40 counties. Because of legislation you enacted last session, section 478.001.7, RSMo, makes "it ... the public policy of this state to encourage and provide an alternative method for the disposal of cases for military veterans and current military personnel with substance use disorders, mental health disorders, or co-occurring disorders." For some, these may be just words on paper. But for the 401 veterans who were helped last year through our treatment courts, it represents a win-win for all Missourians by helping those who have served our country regain their lives while reducing crime and improving public safety.

Criminal justice reform

Now, the use of treatment courts is not the only way to improve our criminal justice system. Last year, we made significant changes to our rules governing misdemeanor and felony criminal procedures, including pretrial release, as well as rules governing ordinance violations. Together, these reforms alleviate practices inconsistent with our state constitutional mandates to guarantee bail with sufficient sureties in all but capital

offenses and to not require excessive bail or impose excessive fines.

In addition, this legislative body took actions last year that are likely to make a positive impact on the lives of our citizens for many years to come. As a body, you chose to expand the crimes for which an individual can seek an expungement. You also authorized prosecutors to enter into agreements with defendants to send certain criminal cases into diversion programs, allowing them to avoid prosecution altogether when appropriate.

While these reforms are important to improving our criminal justice system, one additional segment needs your attention. I spent a decade as a prosecutor in the city of St. Louis, serving as first assistant in my last year before becoming a trial judge. In most of my cases and those of the prosecutors I supervised, opposing counsel was a public defender. Speaking from the perspective of both a former prosecutor and a former trial judge, I can tell you the system simply does not work without a sufficiently funded and staffed public defender system.

To be sure, *all* attorneys in public service work long, hard hours, and *many* are underpaid and under-recognized. But if criminal cases cannot be moved efficiently through the system because of overloaded attorneys, we risk leaving those who are guilty on the street, those who are not guilty unable to return to being productive members of society, and victims and their families powerless to find closure and move forward with their lives. Together, we all share the burden of our state constitutional mandate demanding that “justice shall be administered without sale, denial or delay.”

21st century workforce

Now, in evaluating the state’s successes during 2019, our governor focused on the importance of workforce development. In the judiciary, we, too, are focused on the 3,600 or so individuals – your constituents – who facilitate the daily business of our state courts.

As the chief justice of the United States said in his year-end report: “[W]e should ... remember that justice is not inevitable. We should reflect on our duty to judge without fear or favor, deciding each matter with humility, integrity, and dispatch ... to do our best to maintain the public’s trust that we are faithfully discharging our solemn obligation to equal justice under law.”

We judges cannot faithfully discharge our duties under the law or maintain public trust and confidence without the support of the thousands of employees who become the faces of justice for so many who walk into our courthouses. It is in support of these employees that we have developed the 21st century workforce plan.

We simply cannot ask these people – who reside in your communities and work in our court system – to live below the value of their service. On their behalf, we thank you for your appropriations over the past few years of salary increases to bring our lowest-paid staff to at least the base of where our classification and compensation study shows they should be. But if we want to retain the good employees we have, and be able to recruit high-quality workers as positions become open, we need to move our staff toward market salary goals.

Conclusion

As we all enter this new year, this new decade, and new century of Missouri courts, together we have the opportunity to look back on how far we have come since Missouri’s first constitution was adopted 200 years ago. After 25 years of working my way through the judiciary – as an associate circuit judge, circuit judge, appellate judge and now Supreme Court judge – fulfilling my family’s legacy of service, I have come to appreciate the Court in its broadest sense, as an institution existing well beyond the seven of us who may sit at any given time.

In *every* branch of service, we have always had an imperative – to consider the legacy we will leave for all those yet to come. When Missourians 200 years from now look back upon this time, and examine all our works, reforms, and accomplishments, I hope they will find us to have been leaders ... innovators ... collaborators ... who left our state greater than we found it and fully supported those who toiled in and built cooperation among our co-equal branches of government.

Thank you.

On motion of Senator Rowden the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Kehoe.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 911–By White.

An Act to repeal sections 182.817, 191.656, 213.111, 260.210, 302.170, 417.457, 448.4-117, 510.265, 537.090, 538.210, 542.418, and 544.195, RSMo, and to enact in lieu thereof twelve new sections relating to punitive damages, with existing penalty provisions.

SB 912—By Emery.

An Act to repeal section 568.065, RSMo, and to enact in lieu thereof one new section relating to the offense of genital mutilation, with penalty provisions.

SB 913—By Emery.

An Act to repeal section 537.033, RSMo, and to enact in lieu thereof one new section relating to the peer review process for design professionals.

SB 914—By Arthur.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription insulin drugs.

SB 915—By Crawford.

An Act to repeal section 303.220, RSMo, and to enact in lieu thereof one new section relating to certificates of self-insurance, with an emergency clause.

SB 916—By Crawford.

An Act to repeal section 376.1235, RSMo, and to enact in lieu thereof two new sections relating to insurance coverage for health services.

SB 917—By Onder.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to prohibited uses of public funds.

SB 918—By Onder.

An Act to repeal section 610.100, RSMo, and to enact in lieu thereof one new section relating to the confidentiality of health records.

SB 919—By Onder.

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to medical marijuana facility background checks.

SB 920—By Wieland.

An Act to repeal section 565.030, RSMo, and to enact in lieu thereof one new section relating to jury instructions for the offense of murder in the first degree.

SB 921—By Wallingford.

An Act to repeal sections 386.020 and 523.010, RSMo, and to enact in lieu thereof three new sections relating to broadband operations and services using electrical corporation broadband infrastructure.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 38—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 637—Judiciary and Civil and Criminal Jurisprudence.

SB 638—Judiciary and Civil and Criminal Jurisprudence.

SB 639—General Laws.

SB 640—Ways and Means.

SB 641—Transportation, Infrastructure and Public Safety.

SB 642—Education.

SB 643—Appropriations.

SB 644—Agriculture, Food Production and Outdoor Resources.

SB 645—Education.

SB 646—Ways and Means.

SB 647—General Laws.

SB 648—Ways and Means.

SB 649—General Laws.

SB 650—Health and Pensions.

SB 651—Health and Pensions.

SB 652—Local Government and Elections.

SB 653—Seniors, Families and Children.

SB 654—Insurance and Banking.

SB 655—Ways and Means.

SB 656—Veterans and Military Affairs.

SB 657—Local Government and Elections.

SB 658—Professional Registration.

SB 659—Ways and Means.

SB 660—Education.

SB 661—Agriculture, Food Production and Outdoor Resources.

SB 662—Agriculture, Food Production and Outdoor Resources.

SB 663—Transportation, Infrastructure and Public Safety.

SB 664—General Laws.

SB 665—Health and Pensions.

SB 666—Health and Pensions.

SB 667—Judiciary and Civil and Criminal Jurisprudence.

SB 668—Health and Pensions.

SB 669—Insurance and Banking.

SB 670—Professional Registration.

SB 671—Government Reform.

SB 672—Small Business and Industry.

SB 673—Veterans and Military Affairs.

SB 674—Economic Development.

SB 675—Ways and Means.

SB 676—Ways and Means.

SB 677—Judiciary and Civil and Criminal Jurisprudence.

SB 679—Judiciary and Civil and Criminal Jurisprudence.

SB 680—Small Business and Industry.

SB 681—Local Government and Elections.

SB 682—Small Business and Industry.

SB 683—Local Government and Elections.

SJR 39—Government Reform.

SJR 40—Ways and Means.

INTRODUCTION OF GUESTS

Senator Hoskins introduced to the Senate, Markus Ahrens, Tom Hilton, Pat Reuter and Antonio Strong, St. Louis; Mark Radetic and Steve York, Kansas City; Kalena Bruce, Stockton; Alex Cross, St. Joseph; Sondra DePriest, Savannah; John Gamble, Nixa; Gary Johnson, Ozark; Bob Letterman, Lee's Summit; Matt Mercer, St. Charles; Nick Myers, Joplin; Jim O'Hallaron, Kirkwood; Harry Otto, Jefferson City; Phil Slinkard, Neosho; and Charles Starkey, Raymore; representatives of the Missouri Society of Certified Public Accountants.

Senator Libla introduced to the Senate, Robert Whelan, Poplar Bluff.

Senator Walsh introduced to the Senate, Judge William Buchholz, II, and Mrs. Joyce Buchholz, St. Louis County.

Senator Cunningham introduced to the Senate, Chris Swatosh, and his daughter, Regan, Ava.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, January 27, 2020.

SENATE CALENDAR

NINTH DAY—MONDAY, JANUARY 27, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 684-Sater	SB 715-Burlison
SB 685-Sater	SB 716-Burlison
SB 686-Sater	SB 717-White
SB 687-Emery	SB 718-White
SB 688-Emery	SB 719-White
SB 689-Emery	SB 720-Hough
SB 690-Cunningham	SB 721-Hough
SB 691-Cunningham	SB 722-Hough
SB 692-Cunningham	SB 723-Brown
SB 693-Wallingford	SB 724-Brown
SB 694-Wallingford	SB 725-Brown
SB 695-Sifton	SB 726-Luetkemeyer
SB 696-Sifton	SB 727-Luetkemeyer
SB 697-Sifton	SB 728-Luetkemeyer
SB 698-Wieland	SB 729-Sater
SB 699-Riddle	SB 730-Sater
SB 700-Onder	SB 731-Sater
SB 701-Onder	SB 732-Emery
SB 702-Onder	SB 733-Emery
SB 703-Hoskins	SB 734-Emery
SB 704-Hoskins	SB 735-Sifton
SB 705-Koenig	SB 736-Sifton
SB 706-Koenig	SB 737-Sifton
SB 707-Koenig	SB 738-Onder
SB 708-Eigel	SB 739-Onder
SB 709-Eigel	SB 740-Onder
SB 710-Eigel	SB 741-Koenig
SB 711-Arthur	SB 742-Koenig
SB 712-Arthur	SB 743-Eigel
SB 713-Arthur	SB 744-Eigel
SB 714-Burlison	SB 745-Burlison

SB 746-Burlison	SB 788-Schupp
SB 747-Burlison	SB 789-Schupp
SB 748-White	SB 790-Schupp
SB 749-White	SB 791-Eigel
SB 750-White	SB 792-Eigel
SB 751-Hough	SB 793-Koenig
SB 752-Brown	SB 794-Eigel
SB 753-Brown	SB 795-Hough
SB 754-Luetkemeyer	SRB 796-Hough
SB 755-Sater	SB 797-Wieland
SB 756-Sifton	SB 798-Hoskins
SB 757-Onder	SB 799-Schupp
SB 758-Onder	SB 800-Schupp
SB 759-Onder	SB 801-Koenig
SB 760-Burlison	SB 802-Hegeman
SB 761-Burlison	SB 803-Crawford
SB 762-Burlison	SB 804-Cunningham
SB 763-White	SB 805-Hoskins
SB 764-Onder	SB 806-Koenig
SB 765-Onder	SB 807-Crawford
SB 766-Onder	SB 808-Crawford
SB 767-Burlison	SB 809-Brown
SB 768-Onder	SB 810-Luetkemeyer
SB 769-Burlison	SB 811-Luetkemeyer
SB 770-Hough	SB 812-Sater
SB 771-Wallingford	SB 813-Sater
SB 772-Romine	SB 814-Nasheed
SB 773-Riddle	SB 815-Eigel
SB 774-Brown	SB 816-Crawford
SB 775-Schatz	SB 817-Crawford
SB 776-Cunningham	SB 818-Wallingford
SB 777-Wallingford	SB 819-Wallingford
SB 778-Hoskins	SB 820-Burlison
SB 779-Crawford	SB 821-Hough
SB 780-Hough	SB 822-Wallingford
SB 781-Brown	SB 823-Wallingford
SB 782-Brown	SB 824-Wallingford
SB 783-Brown	SB 825-Libla
SB 784-Wallingford	SB 826-White
SB 785-Koenig	SB 827-White
SB 786-Romine	SB 828-Hough
SB 787-Romine	SB 829-Hough

SB 830-Cunningham	SB 869-Hough
SB 831-Cunningham	SB 870-Hough
SB 832-Cunningham	SB 871-Nasheed
SB 833-Luetkemeyer	SB 872-Crawford
SB 834-Brown	SB 873-Crawford
SB 835-Brown	SB 874-Sater
SB 836-Onder	SB 875-Emery
SB 837-White	SB 876-Libla
SB 838-White	SB 877-Burlison
SB 839-Wallingford	SB 878-Burlison
SB 840-Arthur	SB 879-Burlison
SB 841-Arthur	SB 880-Rowden
SB 842-Emery	SB 881-Wieland
SB 843-Burlison	SB 882-Wieland
SB 844-Burlison	SB 883-Hoskins
SB 845-Burlison	SB 884-Hoskins
SB 846-Sater	SB 885-Walsh
SB 847-Eigel	SB 886-Walsh
SB 848-Eigel	SB 887-Walsh
SB 849-Eigel	SB 888-Koenig
SB 850-O'Laughlin	SB 889-Koenig
SB 851-O'Laughlin	SB 890-Koenig
SB 852-Hegeman	SB 891-Burlison
SB 853-Crawford	SB 892-Burlison
SB 854-Crawford	SB 893-Burlison
SB 855-Wieland	SB 895-Eigel
SB 856-Wieland	SB 896-Eigel
SB 857-Luetkemeyer	SB 897-Cierpiot
SB 858-Hegeman	SB 898-Cunningham
SB 859-Hegeman	SB 899-Brown
SB 860-Hegeman	SB 900-Sifton
SB 861-White	SB 901-Wallingford
SB 862-White	SB 902-Wallingford
SB 863-Brown	SB 903-Wieland
SB 864-Brown	SB 904-Wieland
SB 865-Brown	SB 905-Eigel
SB 866-Brown	SB 906-Libla
SB 867-Brown	SB 907-Arthur
SB 868-Brown	SB 908-Hough

SB 909-Wallingford	SJR 44-Eigel
SB 910-Wallingford	SJR 45-Cierpiot
SB 911-White	SJR 46-Cierpiot
SB 912-Emery	SJR 47-Cierpiot
SB 913-Emery	SJR 48-Luetkemeyer
SB 914-Arthur	SJR 49-O'Laughlin
SB 915-Crawford	SJR 50-O'Laughlin
SB 916-Crawford	SJR 51-May
SB 917-Onder	SJR 52-Eigel
SB 918-Onder	SJR 53-Eigel
SB 919-Onder	SJR 54-Eigel
SB 920-Wieland	SJR 55-Eigel
SB 921-Wallingford	SJR 56-Burlison
SJR 41-Koenig	SJR 57-Onder
SJR 42-Eigel	SJR 58-Eigel
SJR 43-Eigel	SJR 59-Eigel

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Journal of the Senate

SECOND REGULAR SESSION

NINTH DAY—MONDAY, JANUARY 27, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“He covers the heavens with clouds, prepares rain for the earth...” (Psalm 147:8b)

We are thankful for the sun and rain and snow that water the earth and prepare it for growth that feeds us and Your creation. We are thankful for all You do for us and delight in the seasons that bring renewed interest and activities. We are thankful for opportunities to serve others and share love with those whom You have given us to love. Continue to walk with us this day and bless those things we do that are acceptable to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Wednesday, January 22, 2020, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 1093, regarding Joshua Phillip Tueth, Saint Charles, which was adopted.

Senator Cunningham offered Senate Resolution No. 1094, regarding Matthew Allen Pendergrass, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 1095, regarding Dr. Jim Hunt, Doniphan, which was adopted.

Senator May offered Senate Resolution No. 1096, regarding the Fortieth Anniversary of the Organization for Black Struggle, which was adopted.

Senator Sifton offered Senate Resolution No. 1097, regarding Imo's Pizza, which was adopted.

Senator Sifton offered Senate Resolution No. 1098, regarding Total Access Urgent Care, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1099, regarding the Fiftieth Wedding Anniversary of Jim and Doty Parkhurst, Easton, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1100, regarding the Fiftieth Wedding Anniversary of Dean and Denise Kerns, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1101, regarding Lean Kitchen, which was adopted.

Senator Arthur offered Senate Resolution No. 1102, regarding Kelley Martin, Kansas City, which was adopted.

Senator Hegeman offered Senate Resolution No. 1103, regarding Landon Cole Butcher, Savannah, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1104, regarding Jeanne and Rex Sinquefield, Westphalia, which was adopted.

Senator Rowden offered Senate Resolution No. 1105, regarding Elizabeth Brooks, Ashland, which was adopted.

Senator Burlison offered Senate Resolution No. 1106, regarding Nathan Good, Springfield, which was adopted.

Senator Libla offered Senate Resolution No. 1107, regarding First Missouri Bank of SEMO, which was adopted.

Senator Libla offered Senate Resolution No. 1108, regarding Peggy Potts, which was adopted.

Senator Libla offered Senate Resolution No. 1109, regarding Jim Gibson Trucking, LLC, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1110, regarding Communities Loving and Supporting Students, which was adopted.

Senator Hoskins offered Senate Resolution No. 1111, regarding Marvin Neal, Warrensburg, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1112, regarding the Class 3 State Softball Champions Helias Catholic High School softball team, which was adopted.

Senator Sifton offered Senate Resolution No. 1113, regarding Sedara Sweets and Ice Cream, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1114, regarding Tina Chidster, Louisiana, which was adopted.

Senator Williams offered Senate Resolution No. 1115, regarding Jennings High School Student Council, St. Louis, which was adopted.

Senator Williams offered Senate Resolution No. 1116, regarding the Fiftieth Anniversary of University City Children’s Center, St. Louis, which was adopted.

Senator Cierpiot offered Senate Resolution No. 1117, regarding Kelsey Ward, Lee’s Summit, which was adopted.

Senator Cierpiot offered Senate Resolution No. 1118, regarding Karleigh Carlson, Lee’s Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 1119, regarding Isaiah Ryan Massey, Troy, which was adopted.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 39

Whereas, allowing retail customers of electric generation to have access to competitive suppliers of retail electricity is being considered by many states, and has already been implemented in several other states; and

Whereas, the ability of Missouri citizens and businesses to compete in the global market may be harmed unless they have access to reliable electrical power at rates and on terms which are competitive with rates and terms in others states; and

Whereas, legislation designed to implement retail competition will require a careful examination of existing law, and the provisions of that legislation must take into account a variety of issues and factors:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby create the Task Force on Retail Electric Competition; and

Be It Further Resolved that the mission of the task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The method, feasibility, and impact of implementing retail electric competition on Missouri generators of electricity and Missouri consumers of electricity;
- (2) The costs and benefits other states have experienced as a result of retail electric competition;
- (3) The taxation and regulatory issues associated with implementing retail electric competition;
- (4) The social and other public service functions provided by the regulated electric utility industry to determine the potential impact of retail electric competition on these functions;
- (5) Whether, and under what terms, retail electric competition should be offered in Missouri; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) One member of the Senate of the majority party appointed by the President Pro Tempore of the Senate, to serve as the chair of the task force;
- (2) One member of the House of Representatives of the majority party appointed by the Speaker of the House of Representatives, to serve as the vice chair and secretary of the task force, and who will provide an agenda and report minutes of the task force;

(3) One member of the majority party of the Senate and one member of the minority party of the Senate appointed by the President Pro Tempore of the Senate;

(4) One member of the majority party of the House of Representatives and one member of the minority party of the House of Representatives appointed by the Speaker of the House of Representatives;

(5) The Office of the Public Counsel, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(6) The Director of the Division of Energy, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(7) The Chair of the Public Service Commission, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(8) A representative from each of the three segments of the retail electric industry appointed by the President Pro Tempore of the Senate from the respective nominees submitted by the statewide associations of the investor-owned electric utilities, rural electric cooperatives, and municipally-owned electric utilities;

(9) A representative of retail electric consumers appointed by the Speaker of the House of Representatives;

(10) Five members representing the fuel sources used to produce Missouri's electric energy with one member from each industry representing the production of coal, nuclear, natural gas, wind, and solar energy appointed by the Chair of the Public Service Commission;

(11) Two members appointed by the Chair of the Public Service Commission representing each of the regional transmission organizations whose coverage area includes Missouri: Southwest Power Pool and Midcontinental Independent System Operator; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the task force; and

Be It Further Resolved that the chair or vice chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2021, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly; and

Be It Further Resolved that this resolution does not amend any state law to which any retail electric generator or consumer is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Office of Public Counsel, the Division of Energy, and the Chair of the Public Service Commission.

Senator Burlison offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 40

Whereas, the House of Representatives of the United States has voted out articles of impeachment against the President of the United States, Donald J. Trump; and

Whereas, the House of Representatives conducted a rushed impeachment inquiry on the basis of specious claims that President Donald J. Trump is a threat to the United States of America; and

Whereas, the House of Representatives unnecessarily delayed transmission of such articles of impeachment to the Senate of the United States so that a trial may be conducted in an expeditious manner; and

Whereas, this refusal to conduct a fair inquiry and delay turning over the articles of impeachment to the Senate are evidence in themselves that the impeachment process was a political charade designed to overturn the result of the 2016 presidential election and to undermine President Donald J. Trump's candidacy in the 2020 presidential election; and

Whereas, the articles of impeachment do not reference any criminal act whatsoever and are fully ambiguous in their moral condemnation of the President for "Abuse of Power" and "Obstruction of Congress"; and

Whereas, the articles of impeachment provide no evidence whatsoever of any quid pro quo involving items of value; and

Whereas, the original meaning of the text of the Constitution of the United States is best interpreted to define "high crimes and misdemeanors" to include only the most serious crimes or breaches of duty which cause irrevocable harm or danger to the United States of America; and

Whereas, the Speaker of the House of Representatives, Nancy Pelosi, has repeatedly been quoted as adhering to the principle that impeachment is only legitimate with bipartisan support; and

Whereas, an impeachment has never in the history of the United States of America been attempted by a single political party or faction within Congress because such an act is the very definition of political chicanery and a serious violation of the rule of law; and

Whereas, the articles of impeachment did not receive a single Republican vote, but were voted against by several Democratic representatives, thereby confirming their biased and politically expedient nature:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby condemn the impeachment of President Donald J. Trump and urge the United States Senate to either dismiss the articles as void or expeditiously acquit the baseless and politically dubious impeachment of President Donald J. Trump; and

Be It Further Resolved that the Secretary of the Senate prepare a properly inscribed copy of this resolution for the United States House of Representatives, the United States Senate, Chief Justice John Roberts, and President Donald J. Trump.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 922—By Luetkemeyer.

An Act to repeal section 431.202, RSMo, and to enact in lieu thereof two new sections relating to business covenants.

SB 923—By Sifton.

An Act to amend chapters 171 and 173, RSMo, by adding thereto two new sections relating to student journalists.

SB 924—By Riddle.

An Act to repeal section 210.135, RSMo, and to enact in lieu thereof one new section relating to immunity for child assessment center employees.

SB 925—By Riddle.

An Act to repeal sections 210.025, 210.201, 210.211, 210.221, 210.252, 210.254, and 210.1080, RSMo, and to enact in lieu thereof six new sections relating to child care facilities.

SB 926—By Walsh.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to building energy performance standards.

SB 927—By Schatz.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to an audit of the state auditor, with an emergency clause.

SB 928—By Brown.

An Act to repeal section 195.070, RSMo, and to enact in lieu thereof one new section relating to the administering of medications.

SB 929—By Emery.

An Act to repeal section 161.670, RSMo, and to enact in lieu thereof one new section relating to student enrollment in virtual school programs.

SB 930—By Eigel.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to hospital federal reimbursement allowances.

SB 931—By Arthur.

An Act to repeal section 163.018, RSMo, and to enact in lieu thereof one new section relating to calculation of average daily attendance for early childhood education programs.

SB 932—By Onder.

An Act to amend chapter 431, RSMo, by adding thereto one new section relating to restrictive employment covenants for physicians and advanced practice registered nurses.

SB 933—By Onder.

An Act to repeal section 334.285, RSMo, and to enact in lieu thereof one new section relating to physician maintenance of certification or licensure.

SB 934—By Onder.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to payments to MO HealthNet providers.

SB 935—By Wallingford.

An Act to repeal section 376.1345, RSMo, and to enact in lieu thereof one new section relating to overpayment of health insurance claims.

SJR 60—By Luetkemeyer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article XIV of the Constitution of Missouri, by adding thereto five new sections relating to health care.

SJR 61—By Nasheed.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of suffrage for former felons.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

David Ott, as a member of the MO HealthNet Oversight Committee;

Also,

Charles E. Atwell, Democrat, as a member of the Public Defender Commission;

Also,

Christopher Waters, Independent and Lynn R. Parman, Independent, as members of the Missouri State University Board of Governors;

Also,

Mark S. Owen, as a member of the Peace Officer Standards and Training Commission;

Also,

Pat Conway, Democrat, as a member of the Missouri Gaming Commission;

Also,

Sharon J. Kissinger, as a member of the Public School Retirement System of Missouri Board of Trustees;

Also,

Philip Prewitt, as a member of the Administrative Hearing Commission;

Also,

Dr. Darren Kirchner and Dr. Seth M. Hudson, as members of the Missouri State Board of Chiropractic Examiners;

Also,

Deborah A. Roach, Democrat, as a member of the Northwest Missouri State University Board of Regents;

Also,

Darla Wierzbicki, Republican, as a member of the Clay County Board of Election Commissioners;

Also,

Robert R. Gattermeir, Republican and Lance Mayfield, Democrat, as members of the State Lottery Commission;

Also,

Kevin O'Mara, Democrat, as a member of the State Technical College of Missouri Board of Regents;

Also,

Ken Weymuth, Republican, as a member of the University of Central Missouri Board of Governors;

Also,

Stephanie B. Garrett and Greta M. Bax, as members of the Missouri Workforce Development Board;

Also,

Chris Berndt, Republican and Patrick Aaron Seamands, Republican, as members of the Missouri Emergency Response Commission;

Also,

William G. Buchholz, II, Democrat, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Vernon Vito Bracy, Democrat, as a member of the Lincoln University Board of Curators; and

Mary Fontana Nichols, Democrat, as a member of the State Environmental Improvement and Energy Resources Authority.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion.

There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Schatz assumed the chair.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SJR 32**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 524**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 530**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 557**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 528**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 539**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 551**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 599**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 553**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 570**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SJR 38**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 552**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 575**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 600**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

A moment of silence was observed for the families involved in yesterday's helicopter accident along with Kobe Bryant and his daughter.

A moment of silence was observed for the victims of the Holocaust.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Philip J. Christofferson, Democrat, 335 Lauren Landing, Ballwin, Saint Louis County, Missouri 63021, as a member of the Truman State University Board of Governors, for a term ending January 1, 2025, and until his successor is duly appointed and qualified; vice,
Laura A. Crandall, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deborah L. Kerber, 14534 Radcliffeborough Court, Chesterfield, Saint Louis County, Missouri 63017, as a member of the State Board of Optometry, for a term ending June 30, 2024, and until her successor is duly appointed and qualified; vice, Deborah L. Kerber, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thane H. Kifer, Republican, 120 West Aldrich Road, Bolivar, Polk County, Missouri 65613, as a member of the State Banking and Savings and Loan Board, for a term ending August 29, 2025, and until his successor is duly appointed and qualified; vice, M. Elizabeth Fast, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jay B. Knudtson, Republican, 815 Pheasant Cove, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the State Banking and Savings and Loan Board, for a term ending August 29, 2021, and until his successor is duly appointed and qualified; vice, Glen B. Williams, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stephen Korte, 18450 Pike 9224, Bowling Green, Pike County, Missouri 63334, as a member of the Amber Alert System Oversight Committee, for a term ending October 20, 2023, and until his successor is duly appointed and qualified; vice, Stephen Korte,

withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Will Kraus, Republican, 612 Southwest Trailpark Circle, Lee's Summit, Jackson County, Missouri 64081, as a member of the State Tax Commission, for a term ending January 23, 2022, and until his successor is duly appointed and qualified; vice, Bruce E. Davis, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Vivek Malik, Independent, 800 Stone Bridge Springs Road, Wildwood, Saint Louis County, Missouri 63005, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2026, and until his successor is duly appointed and qualified; vice, Dennis Vinson, deceased.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Harold M. Miles, Republican, 21562 State Highway OO, Advance, Stoddard County, Missouri 63730, as a member of the State Banking and Savings and Loan Board, for a term ending August 29, 2025, and until his successor is duly appointed and qualified; vice, Robert M. Robuck, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gary Romine, Republican, 19557 State Route EE, Farmington, Sainte Genevieve County, Missouri 63640, as a member of the State Tax Commission, for a term ending January 23, 2026, and until his successor is duly appointed and qualified; vice, William G. Kraus, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lloyd F. Smith, Republican, 1204 Sikes Avenue, Sikeston, Scott County, Missouri 63801, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2026, and until his successor is duly appointed and qualified; vice, Jay Bradley Knudtson, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
January 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Pamela Westbrooks-Hodge, Democrat, 7242 South Roland Boulevard, Saint Louis, Saint Louis County, Missouri 63121, as a member of the State Board of Education, for a term ending July 1, 2026, and until her successor is duly appointed and qualified; vice, Michael Jones, term expired.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

COMMUNICATIONS

Senator Walsh submitted the following:

January 27, 2020

Adriane Crouse – Secretary of the Senate

State Capitol, Room 325

Jefferson City, Missouri 65101

Dear Adriane:

Pursuant to the provisions of Senate Rule 12, I hereby make the following appointments to vacant minority caucus slots on the Senate committees listed below:

Administration:

Senator John Rizzo

Agriculture, Food Production and Outdoor Resources:

Senator Scott Sifton

Senator Lauren Arthur

Appropriations:

Senator Lauren Arthur

Education:

Senator Brian Williams

Health and Pensions:

Senator Karla May

Progress and Development:

Senator Jamilah Nasheed

Rules, Joint Rules, Resolutions and Ethics:

Senator John Rizzo

Transportation, Infrastructure and Public Safety:

Senator Gina Walsh

Senator Karla May

Sincerely,



Gina Walsh

INTRODUCTION OF GUESTS

Senator Brown introduced to the Senate, his son, Brody, Rolla.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TENTH DAY—TUESDAY, JANUARY 28, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 684-Sater
SB 685-Sater
SB 686-Sater
SB 687-Emery
SB 688-Emery
SB 689-Emery
SB 690-Cunningham
SB 691-Cunningham
SB 692-Cunningham
SB 693-Wallingford
SB 694-Wallingford
SB 695-Sifton
SB 696-Sifton
SB 697-Sifton
SB 698-Wieland
SB 699-Riddle
SB 700-Onder
SB 701-Onder
SB 702-Onder
SB 703-Hoskins
SB 704-Hoskins
SB 705-Koenig
SB 706-Koenig

SB 707-Koenig
SB 708-Eigel
SB 709-Eigel
SB 710-Eigel
SB 711-Arthur
SB 712-Arthur
SB 713-Arthur
SB 714-Burlison
SB 715-Burlison
SB 716-Burlison
SB 717-White
SB 718-White
SB 719-White
SB 720-Hough
SB 721-Hough
SB 722-Hough
SB 723-Brown
SB 724-Brown
SB 725-Brown
SB 726-Luetkemeyer
SB 727-Luetkemeyer
SB 728-Luetkemeyer
SB 729-Sater

SB 730-Sater	SB 780-Hough
SB 731-Sater	SB 781-Brown
SB 732-Emery	SB 782-Brown
SB 733-Emery	SB 783-Brown
SB 734-Emery	SB 784-Wallingford
SB 735-Sifton	SB 785-Koenig
SB 736-Sifton	SB 786-Romine
SB 737-Sifton	SB 787-Romine
SB 738-Onder	SB 788-Schupp
SB 739-Onder	SB 789-Schupp
SB 740-Onder	SB 790-Schupp
SB 741-Koenig	SB 791-Eigel
SB 742-Koenig	SB 792-Eigel
SB 743-Eigel	SB 793-Koenig
SB 744-Eigel	SB 794-Eigel
SB 745-Burlison	SB 795-Hough
SB 746-Burlison	SRB 796-Hough
SB 747-Burlison	SB 797-Wieland
SB 748-White	SB 798-Hoskins
SB 749-White	SB 799-Schupp
SB 750-White	SB 800-Schupp
SB 751-Hough	SB 801-Koenig
SB 752-Brown	SB 802-Hegeman
SB 753-Brown	SB 803-Crawford
SB 754-Luetkemeyer	SB 804-Cunningham
SB 755-Sater	SB 805-Hoskins
SB 756-Sifton	SB 806-Koenig
SB 757-Onder	SB 807-Crawford
SB 758-Onder	SB 808-Crawford
SB 759-Onder	SB 809-Brown
SB 760-Burlison	SB 810-Luetkemeyer
SB 761-Burlison	SB 811-Luetkemeyer
SB 762-Burlison	SB 812-Sater
SB 763-White	SB 813-Sater
SB 764-Onder	SB 814-Nasheed
SB 765-Onder	SB 815-Eigel
SB 766-Onder	SB 816-Crawford
SB 767-Burlison	SB 817-Crawford
SB 768-Onder	SB 818-Wallingford
SB 769-Burlison	SB 819-Wallingford
SB 770-Hough	SB 820-Burlison
SB 771-Wallingford	SB 821-Hough
SB 772-Romine	SB 822-Wallingford
SB 773-Riddle	SB 823-Wallingford
SB 774-Brown	SB 824-Wallingford
SB 775-Schatz	SB 825-Libla
SB 776-Cunningham	SB 826-White
SB 777-Wallingford	SB 827-White
SB 778-Hoskins	SB 828-Hough
SB 779-Crawford	SB 829-Hough

SB 830-Cunningham	SB 880-Rowden
SB 831-Cunningham	SB 881-Wieland
SB 832-Cunningham	SB 882-Wieland
SB 833-Luetkemeyer	SB 883-Hoskins
SB 834-Brown	SB 884-Hoskins
SB 835-Brown	SB 885-Walsh
SB 836-Onder	SB 886-Walsh
SB 837-White	SB 887-Walsh
SB 838-White	SB 888-Koenig
SB 839-Wallingford	SB 889-Koenig
SB 840-Arthur	SB 890-Koenig
SB 841-Arthur	SB 891-Burlison
SB 842-Emery	SB 892-Burlison
SB 843-Burlison	SB 893-Burlison
SB 844-Burlison	SB 895-Eigel
SB 845-Burlison	SB 896-Eigel
SB 846-Sater	SB 897-Cierpiot
SB 847-Eigel	SB 898-Cunningham
SB 848-Eigel	SB 899-Brown
SB 849-Eigel	SB 900-Sifton
SB 850-O’Laughlin	SB 901-Wallingford
SB 851-O’Laughlin	SB 902-Wallingford
SB 852-Hegeman	SB 903-Wieland
SB 853-Crawford	SB 904-Wieland
SB 854-Crawford	SB 905-Eigel
SB 855-Wieland	SB 906-Libla
SB 856-Wieland	SB 907-Arthur
SB 857-Luetkemeyer	SB 908-Hough
SB 858-Hegeman	SB 909-Wallingford
SB 859-Hegeman	SB 910-Wallingford
SB 860-Hegeman	SB 911-White
SB 861-White	SB 912-Emery
SB 862-White	SB 913-Emery
SB 863-Brown	SB 914-Arthur
SB 864-Brown	SB 915-Crawford
SB 865-Brown	SB 916-Crawford
SB 866-Brown	SB 917-Onder
SB 867-Brown	SB 918-Onder
SB 868-Brown	SB 919-Onder
SB 869-Hough	SB 920-Wieland
SB 870-Hough	SB 921-Wallingford
SB 871-Nasheed	SB 922-Luetkemeyer
SB 872-Crawford	SB 923-Sifton
SB 873-Crawford	SB 924-Riddle
SB 874-Sater	SB 925-Riddle
SB 875-Emery	SB 926-Walsh
SB 876-Libla	SB 927-Schatz
SB 877-Burlison	SB 928-Brown
SB 878-Burlison	SB 929-Emery
SB 879-Burlison	SB 930-Eigel

SB 931-Arthur
 SB 932-Onder
 SB 933-Onder
 SB 934-Onder
 SB 935-Wallingford
 SJR 41-Koenig
 SJR 42-Eigel
 SJR 43-Eigel
 SJR 44-Eigel
 SJR 45-Cierpiot
 SJR 46-Cierpiot
 SJR 47-Cierpiot
 SJR 48-Luetkemeyer

JR 49-O'Laughlin
 SJR 50-O'Laughlin
 SJR 51-May
 SJR 52-Eigel
 SJR 53-Eigel
 SJR 54-Eigel
 SJR 55-Eigel
 SJR 56-Burlison
 SJR 57-Onder
 SJR 58-Eigel
 SJR 59-Eigel
 SJR 60-Luetkemeyer
 SJR 61-Nasheed

SENATE BILLS FOR PERFECTION

1. SJR 32-Sater
2. SB 524-Sater
3. SB 591-White, with SCS
4. SB 530-Cunningham, with SCS
5. SB 557-Schatz, with SCS
6. SB 528-Cunningham and Arthur, with SCS
7. SB 539-Libla
8. SB 551-Wieland

9. SB 599-Brown, with SCS
10. SB 553-Wieland
11. SB 570-Koenig, with SCS
12. SJR 38-Hegeman
13. SB 552-Wieland
14. SB 575-Eigel
15. SB 600-Luetkemeyer

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 39-Emery

SCR 40-Burlison

✓

Journal of the Senate

SECOND REGULAR SESSION

TENTH DAY—TUESDAY, JANUARY 28, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let me hear of your steadfast love in the morning, for in you I put my trust.” (Psalm 143:8)

By Your Grace O Lord, my faith is strengthened and although we sometimes miss the mark of what You desire of us Your patience waits on us to do the things You require of us. Instill in us the sense of honor and faithfulness that is like Yours. And teach us to be faithful and patient with those You place in our lives as You have been for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Arthur offered Senate Resolution No. 1120, regarding Richard S. Green, Olathe, which was adopted.

Senator Arthur offered Senate Resolution No. 1121, regarding Nicholas Steinkamp, Liberty, which was adopted.

Senator White offered Senate Resolution No. 1122, regarding Andrew Kale Scoggin, Joplin, which was adopted.

Senator White offered Senate Resolution No. 1123, regarding Wyatt J.E. Hensley, Joplin, which was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1124

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2020 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, hereby grant the 2020 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Thursday, July 16, 2020 from 1:30 p.m. to 3:00 p.m. for the purpose of holding a mock legislative session.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1124** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1124** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1125

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June, 2020, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, hereby grant the adult leaders and participants of the Eightieth Session of Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 24, 2020, from 8:00 am to 5:00 pm.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1125** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1125** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1126

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing Rooms for the purposes of its Youth in Government program November 12, 2020, through November 14, 2020 and December 3, 2020 through December 5, 2020.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1126** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1126** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1127

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, One Hundredth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 3, 2020, for the purpose of a citizens assembly and workshops.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1127** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1127** was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 1128

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m., Thursday, October 22, 2020 and 8:00 am to 12:00 pm, Friday, October 23, 2020.

Senator Rowden requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1128** up for adoption, which request was granted.

On motion of Senator Rowden, **SR 1128** was adopted.

Senator Nasheed offered Senate Resolution No. 1129, regarding Hana S. Sharif, which was adopted.

Senator Libla offered Senate Resolution No. 1130, regarding the One Hundredth Birthday of Opal

Johnson, Advance, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 936—By May.

An Act to amend chapter 313, RSMo, by adding thereto seven new sections relating to video lottery, with penalty provisions.

SB 937—By Nasheed.

An Act to amend chapter 405, RSMo, by adding thereto nine new sections relating to expressions of speech, with penalty provisions and a contingent effective date.

SB 938—By Onder.

An Act to repeal sections 376.1575 and 376.1578, RSMo, and to enact in lieu thereof two new sections relating to credentialing of health care practitioners by health carriers.

SB 939—By Onder.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to the interpretation of insurance laws.

SB 940—By Schupp.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof two new sections relating to an extreme risk order of protection, with penalty provisions.

SB 941—By Sater.

An Act to amend chapter 166, RSMo, by adding thereto one new section relating to savings accounts for higher education expenses.

SB 942—By Riddle.

An Act to repeal sections 334.010 and 335.076, RSMo, and to enact in lieu thereof three new sections relating to licensing requirements for certain health care providers.

SB 943—By Crawford.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to patient restraints.

SB 944—By Williams.

An Act to repeal section 376.690, RSMo, and to enact in lieu thereof one new section relating to unanticipated out-of-network medical care.

SB 945—By Williams.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices based on sexual orientation or gender identity.

SB 946—By Wieland.

An Act to repeal section 407.292, RSMo, and to enact in lieu thereof one new section relating to buyers of precious metals, with penalty provisions.

SB 947—By Wieland.

An Act to repeal section 311.070, RSMo, and to enact in lieu thereof one new section relating to alcohol trade practices, with existing penalty provisions.

SB 948—By Wallingford.

An Act to authorize the conveyance of certain state property.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2033**, entitled:

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to eminent domain.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1450**, entitled:

An Act to repeal sections 579.065 and 579.068, RSMo, and to enact in lieu thereof two new sections relating to controlled substance offenses, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Schatz referred **SCR 39** and **SCR 40** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

At the request of Senator Sater, **SJR 32** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 524** was placed on the Informal Calendar.

At the request of Senator White, **SB 591**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 530**, with **SCS** was placed on the Informal Calendar.

SB 557, with **SCS** was placed on the Informal Calendar.

Senator Cunningham moved that **SB 528**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 528**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 528

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state aid for transportation of students.

Was taken up.

Senator Cunningham offered **SS** for **SCS** for **SB 528**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 528

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state aid for transportation of students.

Senator Cunningham moved that **SS** for **SCS** for **SB 528** be adopted.

Senator Hough offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 528, Page 2, Section 163.164, Line 15 of said page, by inserting immediately after said line the following:

“3. The provisions of this section shall not apply in any year in which state transportation aid reaches seventy-five percent of the total allowable cost of transporting all pupils eligible to be transported.”.

Senator Hough moved that the above amendment be adopted, which motion prevailed.

Senator Romine assumed the Chair.

Senator Cunningham moved that **SS** for **SCS** for **SB 528**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 528**, as amended, was declared perfected and ordered printed.

President Kehoe assumed the Chair.

At the request of Senator Libla, **SB 539** was placed on the Informal Calendar.

Senator Wieland moved that **SB 551** be taken up for perfection, which motion prevailed.

Senator Arthur offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 551, Page 1, In the Title, Lines 2-3, by striking “insurance for living organ donors” and inserting in lieu thereof the following: “organ donation”; and

Further amend said Page, Section A, Line 2, by inserting after all of said line the following:

“194.320. 1. No hospital, as defined in section 197.020, physician, procurement organization, as defined in section 194.210, or other person shall determine the ultimate recipient of an anatomical gift based upon a potential recipient's physical or mental disability, except to the extent that the physical or mental disability has been found by a physician, following a case-by-case evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift. The provisions of this subsection shall apply to each part of the organ transplant process, including, but not limited to, the following:

- (1) The referral from a primary care provider to a specialist;**
- (2) The referral from a specialist to a transplant center;**
- (3) The evaluation of the patient for the transplant by the transplant center; and**
- (4) The consideration of the patient for placement on an official waiting list.**

2. A person with a physical or mental disability shall not be required to demonstrate postoperative independent living abilities in order to have access to a transplant if there is evidence that the person will have sufficient, compensatory support and assistance.

3. A court of competent jurisdiction shall accord priority on its calendar and handle expeditiously any action brought to seek any remedy authorized by law for purposes of enforcing compliance with the provisions of this section.

4. This section shall not be deemed to require referrals or recommendations for or the performance of medically inappropriate organ transplants.

5. As used in this section, “disabilities” shall have the same meaning as in the federal Americans with Disabilities Act of 1990, 42 U.S.C. 12101, et seq.”; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator Wieland moved that **SB 551**, as amended, be adopted, which motion prevailed.

On motion of Senator Wieland, **SB 551**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 599**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 599**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 599

An Act to repeal sections 30.260, 30.753, and 30.758, RSMo, and to enact in lieu thereof three new

sections relating to investments in linked deposits by the state treasurer.

Was taken up.

Senator Brown moved that **SCS** for **SB 599** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 599** was declared perfected and ordered printed.

Senator Wieland moved that **SB 553** be taken up for perfection, which motion prevailed.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 553, Page 1, In the Title, Line 3, by striking “mortgage broker licensing” and inserting in lieu thereof the following: “licensing of certain persons”; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

“324.008. 1. As used in this section, “nonresident military spouse” means a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, is domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis.

2. Except as provided in subsection 6 of this section and notwithstanding any other provision of law, any agency of this state or board established under state law for the regulation of occupations and professions in this state shall, with respect to such occupation or profession that it regulates, by rule establish criteria for the issuance of a [temporary courtesy] license **or certificate** to a nonresident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty, so that[, on a temporary basis,] the nonresident military spouse may lawfully practice his or her occupation or profession in this state.

3. Notwithstanding provisions to the contrary, a nonresident military spouse shall receive a [temporary courtesy] license under subsection 2 of this section if, at the time of application, the nonresident military spouse:

(1) Holds a current license or certificate in another state, district, or territory of the United States with licensure requirements that the appropriate regulatory board or agency determines are equivalent to those established under Missouri law for that occupation or profession;

(2) Was engaged in the active practice of the occupation or profession for which the nonresident military spouse seeks a [temporary] license or certificate in a state, district, or territory of the United States for at least two of the five years immediately preceding the date of application under this section;

(3) Has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice that occupation or profession under Missouri law at the time the act was committed;

(4) Has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing or credentialing entity in another jurisdiction;

(5) Authorizes the appropriate board or agency to conduct a criminal background check and pay for any

costs associated with such background check;

(6) Pays any fees required by the appropriate board or agency for that occupation or profession; and

(7) Complies with other requirements as provided by the board.

4. Relevant full-time experience in the discharge of official duties in the military service or an agency of the federal government shall be credited in the counting of years of practice under subdivision (2) of subsection 3 of this section.

5. [A temporary courtesy license or certificate issued under this section is valid for one hundred eighty days and may be extended at the discretion of the applicable regulatory board or agency for another one hundred eighty days on application of the holder of the temporary courtesy license or certificate.

6.] A nonresident military spouse shall be approved and continue to work in his or her profession for such time as is normally allotted with receipt of a license or certificate from the appropriate board or agency for that occupation or profession.

6. This section shall not apply to the practice of law or the regulation of attorneys.

7. The appropriate board or agency shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

At the request of Senator Wieland, **SB 553**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Koenig moved that **SB 570**, be taken up for perfection, which motion prevailed.

SCS for SB 570, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 570

An Act to repeal sections 99.805, 99.810, 99.843, 99.847, and 99.848, RSMo, and to enact in lieu thereof six new sections relating to tax increment financing.

Was taken up.

Senator Koenig moved that **SCS for SB 570** be adopted.

Senator Koenig offered **SS for SCS for SB 570**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 570

An Act to repeal sections 99.805, 99.810, 99.843, 99.847, and 99.848, RSMo, and to enact in lieu thereof six new sections relating to tax increment financing.

Senator Arthur offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 570, Page 12, Section 99.843, Line 22 of said page, by inserting after all of said line the following:

“99.846. For the purposes of section 99.845, a school board may vote to exclude the school district's operating levy for school purposes from the definition of “levies upon taxable real property in such redevelopment project by taxing districts” as used in subsection 1 of section 99.845. Before the school board may vote on the matter, the question shall be placed on the agenda at two consecutive meetings of the school board, and public comments on the matter shall be allowed at both meetings. The school board may then vote upon the matter. If at least a two-thirds majority of the school board votes in favor of removing the operating levy from the definition, the definition shall not include the district's operating levy for school purposes.”; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator Koenig moved that SS for SCS for SB 570, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, SS for SCS for SB 570, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred SS for SCS for SB 528, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 1131, regarding Cameron Tedrick, St. Clair, which was adopted.

Senator Walsh offered Senate Resolution No. 1132, regarding Michael G. Moehlenkamp, which was adopted.

Senator Walsh offered Senate Resolution No. 1133, regarding the Sixty-fifth Anniversary of the Greater North County Chamber of Commerce, Florissant, which was adopted.

Senator Hegeman offered Senate Resolution No. 1134, regarding Leslie and Guy Speckman, which was adopted.

Senator Hegeman offered Senate Resolution No. 1135, regarding Brylie Brincks', Rosendale, which was adopted.

Senator Hegeman offered Senate Resolution No. 1136, regarding Joe Huber, St. Joseph, which was adopted.

Senator Hegeman offered Senate Resolution No. 1137, regarding Rylee Alden, St. Joseph, which was adopted.

Senator Hegeman offered Senate Resolution No. 1138, regarding Michaela Sybert, Rosendale, which was adopted.

Senator Hegeman offered Senate Resolution No. 1139, regarding Jaclyn Riedinger, Bolckow, which was adopted.

Senator Hegeman offered Senate Resolution No. 1140, regarding Collin Patterson, Rosendale, which was adopted.

Senator Hegeman offered Senate Resolution No. 1141, regarding Kendall Nester, Rosendale, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Luetkemeyer introduced to the Senate, Ashley Batchel, Alexandria Bray, Elizabeth Larsen, Lauren Criswell, Heather Bray, Maddison French, Rebecca Criswell, Sloane McGuire, Shyla Welk, Lindsay French, Jennifer Larson and Sarah Welk, representatives of Girl Scout Troop Number 2801, Platte County.

Senator Rizzo introduced to the Senate, Bob Kendrick, President of the Negro League Baseball Museum, Kansas City.

Senator May introduced to the Senate, the Physician of the Day, Dr. Matthew Bigham, St. Louis.

Senator Hough introduced to the Senate, representatives of the Missouri Society of Anesthesiologists.

On behalf of Senator Bernskoetter and himself, the President introduced to the Senate, former State Representative Chuck Pryor, and his son, Dustin, Versailles.

Senator Cunningham introduced to the Senate, Matthew Todd, and his son, Gabe, Mountain Grove.

Senator Emery introduced to the Senate, Robert Greenwood, Tiffany Hinton, Shannon Jeffries, Shauna Hasek, Sue Hilton and Joe Barron, representatives of CASCO Area Workshop, Harrisonville.

Senator Crawford introduced to the Senate, Laura Bodkins, Lebanon.

Senator Wallingford introduced to the Senate, Chuck Telle, and representatives of Bail Bond Agents of Missouri.

On behalf of Senator Koenig and himself, the President introduced to the Senate, former State Representative J. Anthony (Tony) Dill, his wife, Donna; son and daughter-in-law, Kevin and Susan Dill; and grandchildren Connor, Brianna and Maggie Dill, Kirkwood.

Senator Cierpiot introduced to the Senate, Board Chairwoman Debra Schulz, Bob Kalkofen, Dan Turner, Evette Clifford, Dave Deathridge, former State Representative Paul Rojas, Al Lemieux, Yong Kim and Walt Schlei, representatives of the Korean War Veterans Chapter 2 Korean War Survivors.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY—WEDNESDAY, JANUARY 29, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 684-Sater	SB 718-White
SB 685-Sater	SB 719-White
SB 686-Sater	SB 720-Hough
SB 687-Emery	SB 721-Hough
SB 688-Emery	SB 722-Hough
SB 689-Emery	SB 723-Brown
SB 690-Cunningham	SB 724-Brown
SB 691-Cunningham	SB 725-Brown
SB 692-Cunningham	SB 726-Luetkemeyer
SB 693-Wallingford	SB 727-Luetkemeyer
SB 694-Wallingford	SB 728-Luetkemeyer
SB 695-Sifton	SB 729-Sater
SB 696-Sifton	SB 730-Sater
SB 697-Sifton	SB 731-Sater
SB 698-Wieland	SB 732-Emery
SB 699-Riddle	SB 733-Emery
SB 700-Onder	SB 734-Emery
SB 701-Onder	SB 735-Sifton
SB 702-Onder	SB 736-Sifton
SB 703-Hoskins	SB 737-Sifton
SB 704-Hoskins	SB 738-Onder
SB 705-Koenig	SB 739-Onder
SB 706-Koenig	SB 740-Onder
SB 707-Koenig	SB 741-Koenig
SB 708-Eigel	SB 742-Koenig
SB 709-Eigel	SB 743-Eigel
SB 710-Eigel	SB 744-Eigel
SB 711-Arthur	SB 745-Burlison
SB 712-Arthur	SB 746-Burlison
SB 713-Arthur	SB 747-Burlison
SB 714-Burlison	SB 748-White
SB 715-Burlison	SB 749-White
SB 716-Burlison	SB 750-White
SB 717-White	SB 751-Hough

SB 752-Brown	SRB 796-Hough
SB 753-Brown	SB 797-Wieland
SB 754-Luetkemeyer	SB 798-Hoskins
SB 755-Sater	SB 799-Schupp
SB 756-Sifton	SB 800-Schupp
SB 757-Onder	SB 801-Koenig
SB 758-Onder	SB 802-Hegeman
SB 759-Onder	SB 803-Crawford
SB 760-Burlison	SB 804-Cunningham
SB 761-Burlison	SB 805-Hoskins
SB 762-Burlison	SB 806-Koenig
SB 763-White	SB 807-Crawford
SB 764-Onder	SB 808-Crawford
SB 765-Onder	SB 809-Brown
SB 766-Onder	SB 810-Luetkemeyer
SB 767-Burlison	SB 811-Luetkemeyer
SB 768-Onder	SB 812-Sater
SB 769-Burlison	SB 813-Sater
SB 770-Hough	SB 814-Nasheed
SB 771-Wallingford	SB 815-Eigel
SB 772-Romine	SB 816-Crawford
SB 773-Riddle	SB 817-Crawford
SB 774-Brown	SB 818-Wallingford
SB 775-Schatz	SB 819-Wallingford
SB 776-Cunningham	SB 820-Burlison
SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
SB 780-Hough	SB 824-Wallingford
SB 781-Brown	SB 825-Libla
SB 782-Brown	SB 826-White
SB 783-Brown	SB 827-White
SB 784-Wallingford	SB 828-Hough
SB 785-Koenig	SB 829-Hough
SB 786-Romine	SB 830-Cunningham
SB 787-Romine	SB 831-Cunningham
SB 788-Schupp	SB 832-Cunningham
SB 789-Schupp	SB 833-Luetkemeyer
SB 790-Schupp	SB 834-Brown
SB 791-Eigel	SB 835-Brown
SB 792-Eigel	SB 836-Onder
SB 793-Koenig	SB 837-White
SB 794-Eigel	SB 838-White
SB 795-Hough	SB 839-Wallingford

SB 840-Arthur
SB 841-Arthur
SB 842-Emery
SB 843-Burlison
SB 844-Burlison
SB 845-Burlison
SB 846-Sater
SB 847-Eigel
SB 848-Eigel
SB 849-Eigel
SB 850-O'Laughlin
SB 851-O'Laughlin
SB 852-Hegeman
SB 853-Crawford
SB 854-Crawford
SB 855-Wieland
SB 856-Wieland
SB 857-Luetkemeyer
SB 858-Hegeman
SB 859-Hegeman
SB 860-Hegeman
SB 861-White
SB 862-White
SB 863-Brown
SB 864-Brown
SB 865-Brown
SB 866-Brown
SB 867-Brown
SB 868-Brown
SB 869-Hough
SB 870-Hough
SB 871-Nasheed
SB 872-Crawford
SB 873-Crawford
SB 874-Sater
SB 875-Emery
SB 876-Libla
SB 877-Burlison
SB 878-Burlison
SB 879-Burlison
SB 880-Rowden
SB 881-Wieland
SB 882-Wieland
SB 883-Hoskins

SB 884-Hoskins
SB 885-Walsh
SB 886-Walsh
SB 887-Walsh
SB 888-Koenig
SB 889-Koenig
SB 890-Koenig
SB 891-Burlison
SB 892-Burlison
SB 893-Burlison
SB 895-Eigel
SB 896-Eigel
SB 897-Cierpiot
SB 898-Cunningham
SB 899-Brown
SB 900-Sifton
SB 901-Wallingford
SB 902-Wallingford
SB 903-Wieland
SB 904-Wieland
SB 905-Eigel
SB 906-Libla
SB 907-Arthur
SB 908-Hough
SB 909-Wallingford
SB 910-Wallingford
SB 911-White
SB 912-Emery
SB 913-Emery
SB 914-Arthur
SB 915-Crawford
SB 916-Crawford
SB 917-Onder
SB 918-Onder
SB 919-Onder
SB 920-Wieland
SB 921-Wallingford
SB 922-Luetkemeyer
SB 923-Sifton
SB 924-Riddle
SB 925-Riddle
SB 926-Walsh
SB 927-Schatz
SB 928-Brown

SB 929-Emery	SJR 42-Eigel
SB 930-Eigel	SJR 43-Eigel
SB 931-Arthur	SJR 44-Eigel
SB 932-Onder	SJR 45-Cierpiot
SB 933-Onder	SJR 46-Cierpiot
SB 934-Onder	SJR 47-Cierpiot
SB 935-Wallingford	SJR 48-Luetkemeyer
SB 936-May	SJR 49-O’Laughlin
SB 937-Nasheed	SJR 50-O’Laughlin
SB 938-Onder	SJR 51-May
SB 939-Onder	SJR 52-Eigel
SB 940-Schupp	SJR 53-Eigel
SB 941-Sater	SJR 54-Eigel
SB 942-Riddle	SJR 55-Eigel
SB 943-Crawford	SJR 56-Burlison
SB 944-Williams	SJR 57-Onder
SB 945-Williams	SJR 58-Eigel
SB 946-Wieland	SJR 59-Eigel
SB 947-Wieland	SJR 60-Luetkemeyer
SB 948-Wallingford	SJR 61-Nasheed
SJR 41-Koenig	

HOUSE BILLS ON SECOND READING

HCS for HB 2033	HB 1450-Schroer
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THIRD READING OF SENATE BILLS

SS for SCS for SB 528-Cunningham

SENATE BILLS FOR PERFECTION

SJR 38-Hegeman	SB 575-Eigel
SB 552-Wieland	SB 600-Luetkemeyer

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 557-Schatz, with SCS
SB 530-Cunningham, with SCS	SB 591-White, with SCS
SB 539-Libla	SJR 32-Sater
SB 553-Wieland, with SA 1 (pending)	

Journal of the Senate

SECOND REGULAR SESSION

ELEVENTH DAY—WEDNESDAY, JANUARY 29, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord lifts up the downtrodden; his understanding is beyond measure.” (Psalm 147:6)

Our God is gracious and helps us to see those among us that are in need of what we can do for them. Open our eyes Lord and let us see those before and beyond us who truly are in need and may our efforts always be to do Your will as You require us to be about. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1142, regarding Armand Joseph Harding, Fulton, which was adopted.

Senators Rizzo and Williams offered Senate Resolution No. 1143, regarding the death of Reverend Dr. Wallace S. Hartsfield Sr., which was adopted.

Senator Wieland offered Senate Resolution No. 1144, regarding Sara Waters, High Ridge, which was adopted.

Senator Wieland offered Senate Resolution No. 1145, regarding Sarah Cisneros, High Ridge, which was adopted.

Senator Wieland offered Senate Resolution No. 1146, regarding Kylie West, High Ridge, which was adopted.

Senator Rowden requested unanimous consent of the Senate to allow Corporal E.T. Hale with the Missouri Highway Patrol to enter the Chamber with side arms, which request was granted.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 949—By Riddle.

An Act to repeal section 344.030, RSMo, and to enact in lieu thereof one new section relating to nursing home administrator licenses.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 551**; **SS** for **SCS** for **SB 570** and **SCS** for **SB 599**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SCS** for **SB 599** to the Committee on Fiscal Oversight.

On motion of Senator Wallingford, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

REFERRALS

President Pro Tem Schatz referred **SS** for **SCS** for **SB 528** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SJR 38** be taken up for perfection, which motion prevailed.

Senator Hegeman offered **SS** for **SJR 38**, entitled:

SENATE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 38

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3,

and 7, of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

Senator Hegeman moved that SS for **SJR 38** be adopted.

Senator Hough assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 38, Page 4, Section 2, Line 12 of said page, by inserting immediately after said line the following:

“(g) (1) By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the Missouri ethics commission, or its successor organization:

a. All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;

b. All contributions, including in-kind contributions, made to a committee in the previous calendar year;

c. The percentage of their total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;

d. The percentage of their total expenditures made from the previous calendar year for contributions, including in-kind contributions, to a committee during the previous calendar year;

e. The name and address of each person or entity making any single contribution to the covered organization over one thousand dollars, and each person or entity who has made, in the aggregate, contributions over one thousand dollars to such organization during the previous calendar year; and

f. The date and amount of each contribution over one thousand dollars, or of any donation from a person who has made, in the aggregate, contributions over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record which the Missouri ethics commission shall subsequently make available to the public.

(2) Any covered organization required to file disclosure reports under subdivision (1) of this subsection shall make such disclosures electronically.

(3) Any covered organization that makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the Missouri ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate each expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information.

(4) Any covered organization that makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the Missouri ethics commission within forty-eight hours of exceeding such limit. The report shall specifically state the contribution amount and the committee to which each contribution was made.

(5) Every electronic disclosure report required under subdivision (4) of this subsection shall include the date and amount of each contribution, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each person who has contributed over five thousand dollars to the covered organization in the previous twelve-month period.

(6) The Missouri ethics commission shall punish the board of directors of a covered organization for failure to file reports required by this subsection in the same manner as other violations are punished as provided by law.

(7) For purposes of this subsection, the following terms mean:

a. “Covered communication”:

i. Paid advertisements broadcast over radio, television, cable, or satellite in this state;

ii. Paid placement of content on the internet or other electronic communication network targeted to voters in this state;

iii. Paid advertisements published in a periodical or on a billboard in this state;

iv. Paid telephone communications to five hundred or more households in this state;

v. Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and

vi. Printed materials exceeding two thousand copies distributed in this state;

b. “Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

c. “Electioneering activities”:

i. Any covered communication that influences or attempts to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and

ii. Any covered communication made within forty-five days of a primary election or ninety days of a general election that:

(A) Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or

(B) Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat.”.

President Kehoe assumed the Chair.

Senator Luetkemeyer offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 38, Page 4, Section 2, Line 12 of said page, by inserting immediately after said line the following:

“(g) (1) By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous two calendar years, including years prior to the effective date of this amendment, shall disclose in an electronic disclosure report to the Missouri ethics commission, or its successor organization:

a. All expenditures made for purposes of electioneering activities by means of a covered communication in the previous two calendar years, including years prior to the effective date of this amendment;

b. All contributions, including in-kind contributions, made to a committee in the previous two calendar years, including years prior to the effective date of this amendment;

c. The percentage of their total expenditures from the previous two calendar years, including years prior to the effective date of this amendment, for purposes of electioneering activities by means of a covered communication;

d. The percentage of their total expenditures made from the previous two calendar years, including years prior to the effective date of this amendment, for contributions, including in-kind contributions, to a committee during such period;

e. The name and address of each person or entity making any single contribution to the covered organization over one thousand dollars, and each person or entity who has made, in the aggregate, contributions over one thousand dollars to such organization during the previous two calendar years, including years prior to the effective date of this amendment; and

f. The date and amount of each contribution over one thousand dollars, or of any donation from a person who has made, in the aggregate, contributions over one thousand dollars to such organization during the previous two calendar years, including years prior to the effective date of this amendment.

Such information shall be a matter of public record which the Missouri ethics commission shall subsequently make available to the public.

(2) Any covered organization required to file disclosure reports under subdivision (1) of this subsection shall make such disclosures electronically.

(3) Any covered organization that makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the Missouri ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate each expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information.

(4) Any covered organization that makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the Missouri ethics commission within forty-eight hours of exceeding such limit. The report shall specifically state the contribution amount and the committee to which each contribution was made.

(5) Every electronic disclosure report required under subdivision (4) of this subsection shall include the date and amount of each contribution, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each person who has contributed over five thousand dollars to the covered organization in the previous two calendar years, including years prior to the effective date of this amendment.

(6) The Missouri ethics commission shall punish the board of directors of a covered organization for failure to file reports required by this subsection in the same manner as other violations are punished as provided by law.

(7) For purposes of this subsection, the following terms mean:

a. “Covered communication”:

i. Paid advertisements broadcast over radio, television, cable, or satellite in this state;

ii. Paid placement of content on the internet or other electronic communication network targeted to voters in this state;

iii. Paid advertisements published in a periodical or on a billboard in this state;

iv. Paid telephone communications to five hundred or more households in this state;

v. Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and

vi. Printed materials exceeding two thousand copies distributed in this state;

b. “Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

c. “Electioneering activities”:

i. Any covered communication that influences or attempts to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and

ii. Any covered communication made within forty-five days of a primary election or ninety days of a general election that:

(A) Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or

(B) Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat.”.

Senator Luetkemeyer moved that the above amendment be adopted.

Senator Onder offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Joint Resolution No. 38, Page 4, Line 12, by inserting after “Section 501(c)(4)” the following: **“or 501(c)(5)”**.

Senator Onder moved that the above amendment be adopted.

At the request of Senator Onder, the above amendment was withdrawn.

At the request of Senator Luetkemeyer, **SSA 1** for **SA 1** was withdrawn.

At the request of Senator Hegeman, **SS** for **SJR 38** was withdrawn, rendering **SA 1** moot.

Senator Hegeman offered **SS No. 2** for **SJR 38**:

SENATE SUBSTITUTE NO. 2 FOR
SENATE JOINT RESOLUTION NO. 38

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

Senator Hegeman moved that **SS No. 2** for **SJR 38** be adopted.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Williams offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Joint Resolution No. 38, Page 8, Section 3, Line 28, by inserting after “(4)” the following: **“Districts shall be drawn in a manner that achieves both partisan fairness and, secondarily, competitiveness, but the standards established by subdivisions (1) to (3) of this subsection shall take precedence over partisan fairness and competitiveness. “Partisan fairness” means that parties shall be able to translate their popular support into legislative representation with approximately equal efficiency. “Competitiveness” means that parties’ legislative representation shall be substantially and similarly responsive to shifts in the electorate’s preferences.**

To this end, the average electoral performance of the two political parties receiving the most votes in the three preceding general elections for governor, for United States Senate, and for President of the United States shall be calculated. This index shall be defined as the total votes received by each party in the three preceding general elections for governor, for United States Senate, and for President of the United States, divided by the total votes cast for both parties in these elections. Using this index, the total number of wasted votes for each party, summing across all of the districts in the plan shall be calculated. “Wasted votes” are votes cast for a losing candidate or for a winning candidate in excess of the threshold needed for victory. In any redistricting plan and map of the proposed districts, the difference between the two parties’ total wasted votes, divided by the total

votes cast for the two parties, shall not exceed fifteen percent.

To promote competitiveness, the electoral performance index shall be used to simulate elections in which the hypothetical statewide vote shifts by one percent, two percent, three percent, four percent, and five percent in favor of each party. The vote in each individual district shall be assumed to shift by the same amount as the statewide vote. In each of these simulated elections, the difference between the two parties' total wasted votes, divided by the total votes cast for the two parties, shall not exceed fifteen percent.

(5)"; and

Further amend said amendment, page 9, line 9, by striking "(3)" and inserting in lieu thereof the following: **"(4)"**.

Senator Williams moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

On motion of Senator Rowden, the Senate recessed until 2:30 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

At the request of Senator Hegeman, **SJR 38**, with **SS No. 2** and **SA 1** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 1147, regarding Danny Joe Miller, which was adopted.

Senators Onder and Eigel offered Senate Resolution No. 1148, regarding Benjamin Collins Smith, St. Charles, which was adopted.

Senator Sater offered Senate Resolution No. 1149, regarding the Thirty-fifth Anniversary of the Hudson House of Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 1150, regarding the Seventieth Anniversary of the Cox Medical Center, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1151, regarding Priscilla Williams, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1152, regarding Caleb Antle, which was adopted.

Senator Sater offered Senate Resolution No. 1153, regarding Justin Dunivant, which was adopted.

Senator Sater offered Senate Resolution No. 1154, regarding Stuart Lombard, which was adopted.

Senator Sater offered Senate Resolution No. 1155, regarding Isaac Petersen, which was adopted.

Senator Sater offered Senate Resolution No. 1156, regarding the Fiftieth Wedding Anniversary of Jim and Georgia Bradley, Anderson, which was adopted.

Senator Sater offered Senate Resolution No. 1157, regarding the Roaring River State Park hatchery, which was adopted.

Senator Sater offered Senate Resolution No. 1158, regarding Steve Shaffer, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator White and himself, the President introduced to the Senate, former State Senator Ron Richard, and his wife, Patty, Joplin.

Senator Romine introduced to the Senate, his wife, Kathy, Farmington; and representatives of the Missouri Association of Nurse Anesthetists.

Senator Sifton introduced to the Senate, India Johnson and Edina Ademovic, Webster University.

Senator Schupp introduced to the Senate, Dudley McCarter, Creve Coeur.

Senator Crawford introduced to the Senate, Keith Stevens, Bolivar.

Senator Brown introduced to the Senate, Dr. Steve Harrison, Rolla.

Senator Cunningham introduced to the Senate, T. J. Slocum, and his parents, Debbie and Randy, Marshfield.

Senator Luetkemeyer introduced to the Senate, Dr. Jen Beutel, Platte City.

Senator O'Laughlin introduced to the Senate, Carolyn Chrisman, Kirksville; and Peggy and David Hane, Laclede.

Senator Schatz introduced to the Senate, Dee Dee and Eliot Simon, Chesterfield.

Senator White introduced to the Senate, Trisha Lavish and Heather Phillips, Springfield.

Senator White introduced to the Senate, Cathy Jo Loy, her husband, Clint, daughter, Ellie, and granddaughter, Grace, Joplin; Mariann Morgan, Carthage; and Allen Shirley, Joplin.

Senator Bernskoetter introduced to the Senate, Rodney and Ginny Schad, Versailles.

Senator Wallingford introduced to the Senate, Mary Jane Almandoz, and her daughter and grandchildren, Silvia and Paul, Cape Girardeau.

Senator Eigel introduced to the Senate, Dr. Mark and Phyllis Zust, Weldon Spring; Dr. Danielle Riordan, St. Charles; Claire Freise, St. Louis; and Cab Bradley, Kirksville.

Senator Hegeman introduced to the Senate, Madelyn Derks, King City.

Senator Rowden introduced to the Senate, his wife, Aubrey, Columbia.

Senator White introduced to the Senate, Julianna Bertoli, Columbia.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWELFTH DAY—THURSDAY, JANUARY 30, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 684-Sater	SB 714-Burlison
SB 685-Sater	SB 715-Burlison
SB 686-Sater	SB 716-Burlison
SB 687-Emery	SB 717-White
SB 688-Emery	SB 718-White
SB 689-Emery	SB 719-White
SB 690-Cunningham	SB 720-Hough
SB 691-Cunningham	SB 721-Hough
SB 692-Cunningham	SB 722-Hough
SB 693-Wallingford	SB 723-Brown
SB 694-Wallingford	SB 724-Brown
SB 695-Sifton	SB 725-Brown
SB 696-Sifton	SB 726-Luetkemeyer
SB 697-Sifton	SB 727-Luetkemeyer
SB 698-Wieland	SB 728-Luetkemeyer
SB 699-Riddle	SB 729-Sater
SB 700-Onder	SB 730-Sater
SB 701-Onder	SB 731-Sater
SB 702-Onder	SB 732-Emery
SB 703-Hoskins	SB 733-Emery
SB 704-Hoskins	SB 734-Emery
SB 705-Koenig	SB 735-Sifton
SB 706-Koenig	SB 736-Sifton
SB 707-Koenig	SB 737-Sifton
SB 708-Eigel	SB 738-Onder
SB 709-Eigel	SB 739-Onder
SB 710-Eigel	SB 740-Onder
SB 711-Arthur	SB 741-Koenig
SB 712-Arthur	SB 742-Koenig
SB 713-Arthur	SB 743-Eigel

SB 744-Eigel	SB 784-Wallingford
SB 745-Burlison	SB 785-Koenig
SB 746-Burlison	SB 786-Romine
SB 747-Burlison	SB 787-Romine
SB 748-White	SB 788-Schupp
SB 749-White	SB 789-Schupp
SB 750-White	SB 790-Schupp
SB 751-Hough	SB 791-Eigel
SB 752-Brown	SB 792-Eigel
SB 753-Brown	SB 793-Koenig
SB 754-Luetkemeyer	SB 794-Eigel
SB 755-Sater	SB 795-Hough
SB 756-Sifton	SRB 796-Hough
SB 757-Onder	SB 797-Wieland
SB 758-Onder	SB 798-Hoskins
SB 759-Onder	SB 799-Schupp
SB 760-Burlison	SB 800-Schupp
SB 761-Burlison	SB 801-Koenig
SB 762-Burlison	SB 802-Hegeman
SB 763-White	SB 803-Crawford
SB 764-Onder	SB 804-Cunningham
SB 765-Onder	SB 805-Hoskins
SB 766-Onder	SB 806-Koenig
SB 767-Burlison	SB 807-Crawford
SB 768-Onder	SB 808-Crawford
SB 769-Burlison	SB 809-Brown
SB 770-Hough	SB 810-Luetkemeyer
SB 771-Wallingford	SB 811-Luetkemeyer
SB 772-Romine	SB 812-Sater
SB 773-Riddle	SB 813-Sater
SB 774-Brown	SB 814-Nasheed
SB 775-Schatz	SB 815-Eigel
SB 776-Cunningham	SB 816-Crawford
SB 777-Wallingford	SB 817-Crawford
SB 778-Hoskins	SB 818-Wallingford
SB 779-Crawford	SB 819-Wallingford
SB 780-Hough	SB 820-Burlison
SB 781-Brown	SB 821-Hough
SB 782-Brown	SB 822-Wallingford
SB 783-Brown	SB 823-Wallingford

SB 824-Wallingford	SB 864-Brown
SB 825-Libla	SB 865-Brown
SB 826-White	SB 866-Brown
SB 827-White	SB 867-Brown
SB 828-Hough	SB 868-Brown
SB 829-Hough	SB 869-Hough
SB 830-Cunningham	SB 870-Hough
SB 831-Cunningham	SB 871-Nasheed
SB 832-Cunningham	SB 872-Crawford
SB 833-Luetkemeyer	SB 873-Crawford
SB 834-Brown	SB 874-Sater
SB 835-Brown	SB 875-Emery
SB 836-Onder	SB 876-Libla
SB 837-White	SB 877-Burlison
SB 838-White	SB 878-Burlison
SB 839-Wallingford	SB 879-Burlison
SB 840-Arthur	SB 880-Rowden
SB 841-Arthur	SB 881-Wieland
SB 842-Emery	SB 882-Wieland
SB 843-Burlison	SB 883-Hoskins
SB 844-Burlison	SB 884-Hoskins
SB 845-Burlison	SB 885-Walsh
SB 846-Sater	SB 886-Walsh
SB 847-Eigel	SB 887-Walsh
SB 848-Eigel	SB 888-Koenig
SB 849-Eigel	SB 889-Koenig
SB 850-O’Laughlin	SB 890-Koenig
SB 851-O’Laughlin	SB 891-Burlison
SB 852-Hegeman	SB 892-Burlison
SB 853-Crawford	SB 893-Burlison
SB 854-Crawford	SB 895-Eigel
SB 855-Wieland	SB 896-Eigel
SB 856-Wieland	SB 897-Cierpiot
SB 857-Luetkemeyer	SB 898-Cunningham
SB 858-Hegeman	SB 899-Brown
SB 859-Hegeman	SB 900-Sifton
SB 860-Hegeman	SB 901-Wallingford
SB 861-White	SB 902-Wallingford
SB 862-White	SB 903-Wieland
SB 863-Brown	SB 904-Wieland

SB 905-Eigel	SB 938-Onder
SB 906-Libla	SB 939-Onder
SB 907-Arthur	SB 940-Schupp
SB 908-Hough	SB 941-Sater
SB 909-Wallingford	SB 942-Riddle
SB 910-Wallingford	SB 943-Crawford
SB 911-White	SB 944-Williams
SB 912-Emery	SB 945-Williams
SB 913-Emery	SB 946-Wieland
SB 914-Arthur	SB 947-Wieland
SB 915-Crawford	SB 948-Wallingford
SB 916-Crawford	SB 949-Riddle
SB 917-Onder	SJR 41-Koenig
SB 918-Onder	SJR 42-Eigel
SB 919-Onder	SJR 43-Eigel
SB 920-Wieland	SJR 44-Eigel
SB 921-Wallingford	SJR 45-Cierpiot
SB 922-Luetkemeyer	SJR 46-Cierpiot
SB 923-Sifton	SJR 47-Cierpiot
SB 924-Riddle	SJR 48-Luetkemeyer
SB 925-Riddle	SJR 49-O'Laughlin
SB 926-Walsh	SJR 50-O'Laughlin
SB 927-Schatz	SJR 51-May
SB 928-Brown	SJR 52-Eigel
SB 929-Emery	SJR 53-Eigel
SB 930-Eigel	SJR 54-Eigel
SB 931-Arthur	SJR 55-Eigel
SB 932-Onder	SJR 56-Burlison
SB 933-Onder	SJR 57-Onder
SB 934-Onder	SJR 58-Eigel
SB 935-Wallingford	SJR 59-Eigel
SB 936-May	SJR 60-Luetkemeyer
SB 937-Nasheed	SJR 61-Nasheed

HOUSE BILLS ON SECOND READING

HCS for HB 2033

HB 1450-Schroer

THIRD READING OF SENATE BILLS

SS for SCS for SB 528-Cunningham
(In Fiscal Oversight)
SB 551-Wieland

SS for SCS for SB 570-Koenig
SCS for SB 599-Brown
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 552-Wieland
SB 575-Eigel

SB 600-Luetkemeyer

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla
SB 553-Wieland, with SA 1 (pending)
SB 557-Schatz, with SCS

SB 591-White, with SCS
SJR 32-Sater
SJR 38-Hegeman, with SS#2 & SA 1
(pending)

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Journal of the Senate

SECOND REGULAR SESSION

TWELFTH DAY—THURSDAY, JANUARY 30, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I declare that your steadfast love is established forever; your faithfulness is as firm as the heavens.” (Psalm 89:2)

Gracious God, You are forever watchful and we cannot wander so far as to be out of Your sight and love of us. You are faithful and provide Your gifts for us and we have hope that is grounded in You and love that enables us to love one another. We pray that You watch our going out and coming in this day that we arrive home where loved ones await us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Rowden announced photographers from Nexstar, Gasconade County Republican, Maries County Advocate and Linn Unterrified Democrat were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—3

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Rowden offered Senate Resolution No. 1159, regarding Ava Lawless, Columbia, which was adopted.

Senator Rowden offered Senate Resolution No. 1160, regarding Rebecca Detweiler, Ashland, which was adopted.

Senator Rowden offered Senate Resolution No. 1161, regarding Catherine Mayhan, Columbia, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1162, regarding the Fiftieth Wedding Anniversary of Ron and Pat Auxier, St. Joseph, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 950—By White.

An Act to repeal section 488.012, RSMo, and to enact in lieu thereof one new section relating to court costs.

SB 951—By Schupp.

An Act to amend chapters 192 and 197, RSMo, by adding thereto two new sections relating to forensic examinations of victims of sexual offenses.

Senator Rowden assumed the Chair.

President Kehoe assumed the Chair.

SB 952—By Williams.

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to the expungement of records.

SB 953—By Williams.

An Act to repeal section 451.040, RSMo, and to enact in lieu thereof one new section relating to applications for a marriage license, with an existing penalty provision.

SB 954—By May.

An Act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to calculation of weighted average daily attendance.

SB 955—By Walsh.

An Act to repeal sections 104.160 and 104.180, RSMo, and to enact in lieu thereof two new sections relating to the board of trustees of the Missouri department of transportation and highway patrol employees' retirement system.

SB 956—By Onder.

An Act to repeal 188.027, RSMo, and to enact in lieu thereof one new section relating to abortion.

SB 957—By Sater.

An Act to repeal section 376.1578, RSMo, and to enact in lieu thereof one new section relating to the credentialing of health care practitioners by health carriers.

SB 958—By Koenig.

An Act to repeal section 135.550, RSMo, and to enact in lieu thereof one new section relating to a tax credit for contributions to domestic violence shelters.

SB 959—By Sifton.

An Act to repeal sections 455.010, 455.032, 455.035, 455.045, 455.050, 455.513, 455.520, and 455.523, RSMo, and to enact in lieu thereof eight new sections relating to pet protective orders.

SB 960—By Emery.

An Act to repeal sections 217.703, 217.730, and 559.036, RSMo, and to enact in lieu thereof two new sections relating to earned compliance credits for offenders, with existing penalty provisions.

SB 961—By Emery.

An Act to repeal sections 452.335 and 452.370, RSMo, and to enact in lieu thereof two new sections relating to maintenance orders.

SB 962—By Arthur.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription drug costs.

SB 963—By O’Laughlin.

An Act to repeal section 408.040, RSMo, and to enact in lieu thereof one new section relating to judgment interest rates.

SB 964—By O’Laughlin.

An Act to repeal section 307.015, RSMo, and to enact in lieu thereof one new section relating to mud flap requirements, with a penalty provision.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1511 & 1452**, entitled:

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2046**, entitled:

An Act to repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to professional license reciprocity.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Gary Romine, Republican, and Will Kraus, Republican, as members of the State Tax Commission;

Also,

Dolores D. (Dee Dee) Simon, and Dr. Clifford Chalmers Cain, as members of the Holocaust Education and Awareness Commission;

Also,

Darrell W. Davis, as a member of the Missouri Dental Board;

Also,

Mary Jane Almandoz, Republican, and Cathy Jo Loy, Republican, as members of the Missouri Charter Public School Commission;

Also,

Dr. Jeffrey D. Carter, Democrat, as a member of the State Board of Registration for the Healing Arts;

Also,

Carolyn Chrisman, Republican, as a member of the Missouri Women's Council;

Also,

David W. Hane, Republican, as a member of the Missouri Gaming Commission;

Also,

Mariann Morgan, Democrat, and Ron Richard, Republican, as members of the Missouri Southern State University Board of Governors;

Also,

Allen R. Shirley, as a member of the Missouri Advisory Council on Historic Preservation;

Also,

Rodney Schad, Republican, as a member of the Public Defender Commission;

Also,

Keith Dewayne Stevens, Republican, as a member of the State Soil and Water Districts Commission;

Also,

Jonathan Hayashi, Republican, and Martha A. Staggs, Republican, as members of the Missouri Commission on Human Rights; and

W. Dudley McCarter, Independent, as a member of the Coordinating Board for Higher Education.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 580**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 609**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 623**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 592**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SB 551, introduced by Senator Wieland, entitled:

An Act to amend chapters 194 and 376, RSMo, by adding thereto two new sections relating to organ donation.

Was taken up.

On motion of Senator Wieland, **SB 551** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 570, introduced by Senator Koenig, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 570

An Act to repeal sections 99.805, 99.810, 99.843, 99.847, and 99.848, RSMo, and to enact in lieu thereof seven new sections relating to tax increment financing.

Was taken up.

On motion of Senator Koenig, **SS for SCS for SB 570** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 684—Seniors, Families and Children.

SB 685—Appropriations.

SB 686—Transportation, Infrastructure and Public Safety.

SB 687—Judiciary and Civil and Criminal Jurisprudence.

SB 688—Commerce, Consumer Protection, Energy and the Environment.

SB 689—Professional Registration.

SB 690—Small Business and Industry.

SB 691—Economic Development.

SB 692—Health and Pensions.

SB 693—Small Business and Industry.

SB 694—Small Business and Industry.

SB 695—Judiciary and Civil and Criminal Jurisprudence.

SB 696—Progress and Development.

SB 697—Transportation, Infrastructure and Public Safety.

SB 698—Insurance and Banking.

SB 699—Agriculture, Food Production and Outdoor Resources.

SB 700—Transportation, Infrastructure and Public Safety.

SB 701—General Laws.

SB 702—Judiciary and Civil and Criminal Jurisprudence.

SB 703—Small Business and Industry.

SB 704—Ways and Means.

SB 705—Ways and Means.

SB 706—Seniors, Families and Children.

SB 707—Education.

SB 708—Health and Pensions.

SB 709—General Laws.

SB 710—General Laws.

SB 711—Transportation, Infrastructure and Public Safety.

SB 712—Seniors, Families and Children.

SB 713—Ways and Means.

SB 714—Seniors, Families and Children.

SB 715—Commerce, Consumer Protection, Energy and the Environment.

SB 716—Government Reform.

SB 717—Judiciary and Civil and Criminal Jurisprudence.

SB 718—Veterans and Military Affairs.

SB 719—Judiciary and Civil and Criminal Jurisprudence.

SB 720—Economic Development.

SB 721—Commerce, Consumer Protection, Energy and the Environment.

SB 722—Economic Development.

SB 723—Commerce, Consumer Protection, Energy and the Environment.

SB 724—Economic Development.

SB 725—Local Government and Elections.

SB 726—Government Reform.

SB 727—Government Reform.

SB 728—Government Reform.

SJR 41—Ways and Means.

SJR 42—Appropriations.

SJR 43—Ways and Means.

SJR 44—Ways and Means.

SJR 45—Local Government and Elections.

SJR 46—Local Government and Elections.

SJR 47—Local Government and Elections.

SJR 48—Ways and Means.

SJR 49—Rules, Joint Rules, Resolutions and Ethics.

SJR 50—Education.

SJR 51—Local Government and Elections.

SJR 52—Local Government and Elections.

SJR 53—Appropriations.

SJR 54—Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

Senator Romine submitted the following:

January 30, 2020

Ms. Adriane Crouse
Secretary of the Senate-Missouri
201 W. Capitol Ave., Rm 325
Jefferson City, MO 65101


Dear Secretary Crouse,

I hereby submit my letter of resignation to you as State Senator from Missouri's 3rd District. Due to a late start of Session, it will be effective at 10:50 am this day.

It has truly been an honor and privilege to serve.

My best to you and my fellow Senators.

Sincerely,


Gary Romine

Also,

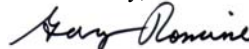
January 30, 2020

Ms. Adriane Crouse
Secretary of the Senate-Missouri
201 W. Capitol Ave., Rm 325
Jefferson City, MO 65101

Dear Secretary Crouse,

I respectfully request that Senator Lincoln Hough, District 30 be made the bill sponsor for Senate Bill 534 immediately upon my resignation from the Senate and through the remainder of the bill's passage.

Sincerely,


Gary Romine

Also,


January 30, 2020

Ms. Adriane Crouse
Secretary of the Senate-Missouri
201 W. Capitol Ave., Rm 325
Jefferson City, MO 65101

Dear Secretary Crouse,

I respectfully request that Senator David Sater, be made the bill sponsor for Senate Bill 787 immediately upon my resignation from the Senate and through the remainder of the bill's passage.

Sincerely,


Gary Romine

Also,


January 30, 2020

Ms. Adriane Crouse
Secretary of the Senate-Missouri
201 W. Capitol Ave., Rm 325
Jefferson City, MO 65101

Dear Secretary Crouse,

I respectfully request that Senator Cindy O'Laughlin be made the bill sponsor for Senate Bill 786 immediately upon my resignation from the Senate and through the remainder of the bill's passage.

Sincerely,


Gary Romine

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, former State Representative John Bowman, St. Louis.

Senator Bernskoetter introduced to the Senate, Coach Chris Wyrick; Assistant Coaches Barry Delaney, Kelly Fick and Megan Smith; and Paige Schaffer, Ella Meyer, Molly Berkey, Riley Heckenkamp, Paige Luebbering, Rylee Kolb, Gabrielle Bax, Kenley Haslag, Taylor Woehr, Malloreay Rogers, Holly Hentges, Lauren Howell, Cori Verslues, Abigale Hoelscher, Liv Bloomer, Alexa Rehmeier and Tabitha Imhoff, members of the Helias High School Lady Crusaders Class 3 State Champion Softball Team.

On behalf of Senators Bernskoetter and Riddle and himself, the President introduced to the Senate, Troy Williams, VFW State Commander, Jefferson City; Tom McLerran, Troy; Nicole Slusser and Don Hentges, Jefferson City; Manny Gonzalez, Boston; and WWF and Golden Gloves champion Marc Mero, Orlando, Florida.

Senator Bernskoetter introduced to the Senate, Drew Watson, Jefferson City.

Senator Schupp introduced to the Senate, the Physician of the Day, Dr. Mark Gunby, St. Louis.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m, Monday, February 3, 2020.

SENATE CALENDAR

THIRTEENTH DAY—MONDAY, FEBRUARY 3, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater
SB 730-Sater
SB 731-Sater
SB 732-Emery

SB 733-Emery
SB 734-Emery
SB 735-Sifton
SB 736-Sifton

SB 737-Sifton	SB 781-Brown
SB 738-Onder	SB 782-Brown
SB 739-Onder	SB 783-Brown
SB 740-Onder	SB 784-Wallingford
SB 741-Koenig	SB 785-Koenig
SB 742-Koenig	SB 786-Romine
SB 743-Eigel	SB 787-Romine
SB 744-Eigel	SB 788-Schupp
SB 745-Burlison	SB 789-Schupp
SB 746-Burlison	SB 790-Schupp
SB 747-Burlison	SB 791-Eigel
SB 748-White	SB 792-Eigel
SB 749-White	SB 793-Koenig
SB 750-White	SB 794-Eigel
SB 751-Hough	SB 795-Hough
SB 752-Brown	SRB 796-Hough
SB 753-Brown	SB 797-Wieland
SB 754-Luetkemeyer	SB 798-Hoskins
SB 755-Sater	SB 799-Schupp
SB 756-Sifton	SB 800-Schupp
SB 757-Onder	SB 801-Koenig
SB 758-Onder	SB 802-Hegeman
SB 759-Onder	SB 803-Crawford
SB 760-Burlison	SB 804-Cunningham
SB 761-Burlison	SB 805-Hoskins
SB 762-Burlison	SB 806-Koenig
SB 763-White	SB 807-Crawford
SB 764-Onder	SB 808-Crawford
SB 765-Onder	SB 809-Brown
SB 766-Onder	SB 810-Luetkemeyer
SB 767-Burlison	SB 811-Luetkemeyer
SB 768-Onder	SB 812-Sater
SB 769-Burlison	SB 813-Sater
SB 770-Hough	SB 814-Nasheed
SB 771-Wallingford	SB 815-Eigel
SB 772-Romine	SB 816-Crawford
SB 773-Riddle	SB 817-Crawford
SB 774-Brown	SB 818-Wallingford
SB 775-Schatz	SB 819-Wallingford
SB 776-Cunningham	SB 820-Burlison
SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
SB 780-Hough	SB 824-Wallingford

SB 825-Libla	SB 869-Hough
SB 826-White	SB 870-Hough
SB 827-White	SB 871-Nasheed
SB 828-Hough	SB 872-Crawford
SB 829-Hough	SB 873-Crawford
SB 830-Cunningham	SB 874-Sater
SB 831-Cunningham	SB 875-Emery
SB 832-Cunningham	SB 876-Libla
SB 833-Luetkemeyer	SB 877-Burlison
SB 834-Brown	SB 878-Burlison
SB 835-Brown	SB 879-Burlison
SB 836-Onder	SB 880-Rowden
SB 837-White	SB 881-Wieland
SB 838-White	SB 882-Wieland
SB 839-Wallingford	SB 883-Hoskins
SB 840-Arthur	SB 884-Hoskins
SB 841-Arthur	SB 885-Walsh
SB 842-Emery	SB 886-Walsh
SB 843-Burlison	SB 887-Walsh
SB 844-Burlison	SB 888-Koenig
SB 845-Burlison	SB 889-Koenig
SB 846-Sater	SB 890-Koenig
SB 847-Eigel	SB 891-Burlison
SB 848-Eigel	SB 892-Burlison
SB 849-Eigel	SB 893-Burlison
SB 850-O’Laughlin	SB 895-Eigel
SB 851-O’Laughlin	SB 896-Eigel
SB 852-Hegeman	SB 897-Cierpiot
SB 853-Crawford	SB 898-Cunningham
SB 854-Crawford	SB 899-Brown
SB 855-Wieland	SB 900-Sifton
SB 856-Wieland	SB 901-Wallingford
SB 857-Luetkemeyer	SB 902-Wallingford
SB 858-Hegeman	SB 903-Wieland
SB 859-Hegeman	SB 904-Wieland
SB 860-Hegeman	SB 905-Eigel
SB 861-White	SB 906-Libla
SB 862-White	SB 907-Arthur
SB 863-Brown	SB 908-Hough
SB 864-Brown	SB 909-Wallingford
SB 865-Brown	SB 910-Wallingford
SB 866-Brown	SB 911-White
SB 867-Brown	SB 912-Emery
SB 868-Brown	SB 913-Emery

SB 914-Arthur	SB 943-Crawford
SB 915-Crawford	SB 944-Williams
SB 916-Crawford	SB 945-Williams
SB 917-Onder	SB 946-Wieland
SB 918-Onder	SB 947-Wieland
SB 919-Onder	SB 948-Wallingford
SB 920-Wieland	SB 949-Riddle
SB 921-Wallingford	SB 950-White
SB 922-Luetkemeyer	SB 951-Schupp
SB 923-Sifton	SB 952-Williams
SB 924-Riddle	SB 953-Williams
SB 925-Riddle	SB 954-May
SB 926-Walsh	SB 955-Walsh
SB 927-Schatz	SB 956-Onder
SB 928-Brown	SB 957-Sater
SB 929-Emery	SB 958-Koenig
SB 930-Eigel	SB 959-Sifton
SB 931-Arthur	SB 960-Emery
SB 932-Onder	SB 961-Emery
SB 933-Onder	SB 962-Arthur
SB 934-Onder	SB 963-O'Laughlin
SB 935-Wallingford	SB 964-O'Laughlin
SB 936-May	SJR 55-Eigel
SB 937-Nasheed	SJR 56-Burlison
SB 938-Onder	SJR 57-Onder
SB 939-Onder	SJR 58-Eigel
SB 940-Schupp	SJR 59-Eigel
SB 941-Sater	SJR 60-Luetkemeyer
SB 942-Riddle	SJR 61-Nasheed

HOUSE BILLS ON SECOND READING

HCS for HB 2033	HCS for HBs 1511 & 1452
HB 1450-Schroer	HCS for HB 2046

THIRD READING OF SENATE BILLS

SS for SCS for SB 528-Cunningham (In Fiscal Oversight)	SCS for SB 599-Brown (In Fiscal Oversight)
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SENATE BILLS FOR PERFECTION

SB 552-Wieland
SB 575-Eigel
SB 600-Luetkemeyer
SB 580-Cierpiot

SB 609-Sater, with SCS
SB 623-Libla
SB 592-White

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla
SB 553-Wieland, with SA 1 (pending)

SB 557-Schatz, with SCS
SB 591-White, with SCS
SJR 32-Sater
SJR 38-Hegeman, with SS#2 & SA 1 (pending)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTEENTH DAY—MONDAY, FEBRUARY 3, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Teach me to do your will, for you are my God. Let your good spirit lead me on a level path.” (Psalm 143:10)

We are thankful Lord that we have arrived here safely and now are ready to do what You require of us. As we come off a celebrative weekend of rejoicing and giving You thanks for the skills and gifts of the Kansas City Chiefs in their win, we enter into a week of ordinary days and do so with faith in where You will lead us and trust that Your spirit will abide in us. We also pray for fellowship that enhances our lives and leadership that inspires us. Bless our efforts O’ Lord and forgive our failures that each day will bring. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 30, 2020, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—3

The Lieutenant Governor was Present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 1163, regarding Missouri Chamber of Commerce and Industry, which was adopted.

Senator Nasheed offered Senate Resolution No. 1164, regarding Grand Center Inc., St. Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1165, regarding the One Hundredth Birthday of Roy Cavaness, Licking, which was adopted.

Senator Koenig offered Senate Resolution No. 1166, regarding the One Hundredth Birthday of Clara Helen Cavin, St. Louis, which was adopted.

Senator Hegeman offered Senate Resolution No. 1167, regarding the One Hundred and Third Birthday of Pauline Bailey, Maryville, which was adopted.

Senator Hoskins offered Senate Resolution No. 1168, regarding Quin Gresham, which was adopted.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SB 599**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SB 528**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 525**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 554**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 649**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 581**, begs leave to report

that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 662**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 538**, **SB 562** and **SB 601** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

RE-REFERRALS

President Pro Tem Schatz re-referred **SB 593** to the Committee on Local Government and Elections.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 528**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 528

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state aid for transportation of students.

Was taken up.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 528** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Hegeman
Hough	Libla	Luetkemeyer	Nasheed	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—23					

NAYS—Senators

Burlison	Eigel	Emery	Hoskins	Koenig	O’Laughlin	Onder—7
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Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SCS for SB 599, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 599

An Act to repeal sections 30.260, 30.753, and 30.758, RSMo, and to enact in lieu thereof three new sections relating to investments in linked deposits by the state treasurer.

Was taken up.

On motion of Senator Brown, **SCS for SB 599** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1467**, entitled:

An Act to repeal section 70.705, RSMo, and to enact in lieu thereof one new section relating to the Missouri Local Government Employees’ Retirement System.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Susan Heegaard and Rob Trembath, Midwest Higher Education Compact.

On behalf of Senator Bernskoetter and himself, the President introduced to the Senate, Tom Loehner.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTEENTH DAY—TUESDAY, FEBRUARY 4, 2020

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 729-Sater	SB 755-Sater
SB 730-Sater	SB 756-Sifton
SB 731-Sater	SB 757-Onder
SB 732-Emery	SB 758-Onder
SB 733-Emery	SB 759-Onder
SB 734-Emery	SB 760-Burlison
SB 735-Sifton	SB 761-Burlison
SB 736-Sifton	SB 762-Burlison
SB 737-Sifton	SB 763-White
SB 738-Onder	SB 764-Onder
SB 739-Onder	SB 765-Onder
SB 740-Onder	SB 766-Onder
SB 741-Koenig	SB 767-Burlison
SB 742-Koenig	SB 768-Onder
SB 743-Eigel	SB 769-Burlison
SB 744-Eigel	SB 770-Hough
SB 745-Burlison	SB 771-Wallingford
SB 746-Burlison	SB 772-Romine
SB 747-Burlison	SB 773-Riddle
SB 748-White	SB 774-Brown
SB 749-White	SB 775-Schatz
SB 750-White	SB 776-Cunningham
SB 751-Hough	SB 777-Wallingford
SB 752-Brown	SB 778-Hoskins
SB 753-Brown	SB 779-Crawford
SB 754-Luetkemeyer	SB 780-Hough

SB 781-Brown	SB 825-Libla
SB 782-Brown	SB 826-White
SB 783-Brown	SB 827-White
SB 784-Wallingford	SB 828-Hough
SB 785-Koenig	SB 829-Hough
SB 786-Romine	SB 830-Cunningham
SB 787-Romine	SB 831-Cunningham
SB 788-Schupp	SB 832-Cunningham
SB 789-Schupp	SB 833-Luetkemeyer
SB 790-Schupp	SB 834-Brown
SB 791-Eigel	SB 835-Brown
SB 792-Eigel	SB 836-Onder
SB 793-Koenig	SB 837-White
SB 794-Eigel	SB 838-White
SB 795-Hough	SB 839-Wallingford
SRB 796-Hough	SB 840-Arthur
SB 797-Wieland	SB 841-Arthur
SB 798-Hoskins	SB 842-Emery
SB 799-Schupp	SB 843-Burlison
SB 800-Schupp	SB 844-Burlison
SB 801-Koenig	SB 845-Burlison
SB 802-Hegeman	SB 846-Sater
SB 803-Crawford	SB 847-Eigel
SB 804-Cunningham	SB 848-Eigel
SB 805-Hoskins	SB 849-Eigel
SB 806-Koenig	SB 850-O'Laughlin
SB 807-Crawford	SB 851-O'Laughlin
SB 808-Crawford	SB 852-Hegeman
SB 809-Brown	SB 853-Crawford
SB 810-Luetkemeyer	SB 854-Crawford
SB 811-Luetkemeyer	SB 855-Wieland
SB 812-Sater	SB 856-Wieland
SB 813-Sater	SB 857-Luetkemeyer
SB 814-Nasheed	SB 858-Hegeman
SB 815-Eigel	SB 859-Hegeman
SB 816-Crawford	SB 860-Hegeman
SB 817-Crawford	SB 861-White
SB 818-Wallingford	SB 862-White
SB 819-Wallingford	SB 863-Brown
SB 820-Burlison	SB 864-Brown
SB 821-Hough	SB 865-Brown
SB 822-Wallingford	SB 866-Brown
SB 823-Wallingford	SB 867-Brown
SB 824-Wallingford	SB 868-Brown

SB 869-Hough	SB 914-Arthur
SB 870-Hough	SB 915-Crawford
SB 871-Nasheed	SB 916-Crawford
SB 872-Crawford	SB 917-Onder
SB 873-Crawford	SB 918-Onder
SB 874-Sater	SB 919-Onder
SB 875-Emery	SB 920-Wieland
SB 876-Libla	SB 921-Wallingford
SB 877-Burlison	SB 922-Luetkemeyer
SB 878-Burlison	SB 923-Sifton
SB 879-Burlison	SB 924-Riddle
SB 880-Rowden	SB 925-Riddle
SB 881-Wieland	SB 926-Walsh
SB 882-Wieland	SB 927-Schatz
SB 883-Hoskins	SB 928-Brown
SB 884-Hoskins	SB 929-Emery
SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder
SB 896-Eigel	SB 940-Schupp
SB 897-Cierpiot	SB 941-Sater
SB 898-Cunningham	SB 942-Riddle
SB 899-Brown	SB 943-Crawford
SB 900-Sifton	SB 944-Williams
SB 901-Wallingford	SB 945-Williams
SB 902-Wallingford	SB 946-Wieland
SB 903-Wieland	SB 947-Wieland
SB 904-Wieland	SB 948-Wallingford
SB 905-Eigel	SB 949-Riddle
SB 906-Libla	SB 950-White
SB 907-Arthur	SB 951-Schupp
SB 908-Hough	SB 952-Williams
SB 909-Wallingford	SB 953-Williams
SB 910-Wallingford	SB 954-May
SB 911-White	SB 955-Walsh
SB 912-Emery	SB 956-Onder
SB 913-Emery	SB 957-Sater

SB 958-Koenig
SB 959-Sifton
SB 960-Emery
SB 961-Emery
SB 962-Arthur
SB 963-O’Laughlin
SB 964-O’Laughlin

SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel
SJR 59-Eigel
SJR 60-Luetkemeyer
SJR 61-Nasheed

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452

HCS for HB 2046
HB 1467-Pike

SENATE BILLS FOR PERFECTION

1. SB 552-Wieland
2. SB 575-Eigel
3. SB 600-Luetkemeyer
4. SB 580-Cierpiot
5. SB 609-Sater, with SCS
6. SB 623-Libla
7. SB 592-White

8. SB 525-Emery, with SCS
9. SB 554-Riddle
10. SB 649-Eigel
11. SB 581-Cierpiot, with SCS
12. SB 662-Bernskoetter, with SCS
13. SBs 538, 562 & 601-Libla, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla
SB 553-Wieland, with SA 1 (pending)

SB 557-Schatz, with SCS
SB 591-White, with SCS
SJR 32-Sater
SJR 38-Hegeman, with SS#2 & SA 1 (pending)

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Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—TUESDAY, FEBRUARY 4, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I thank you, Heavenly Father, for this day you have made and I rejoice in it. Save us, we beseech you, give us success.” (Psalm 118:24-25)

I thank You, Heavenly Father, for this day You have made and I do rejoice in it. We ask that You send us prosperity now and give us success with that which we desire to bring about. We ask that our efforts will bring blessings onto others and prosperity to our state, that we might be a witness to Your goodness and produce joy in our hearts. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel
Emery	Hegeman	Hoskins	Hough	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	White	Wieland	Williams—27	

Absent—Senators—None

Absent with leave—Senators

Cunningham	Koenig	May	Walsh—4
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Vacancies—3

The Lieutenant Governor was Present.

RESOLUTIONS

Senator White offered Senate Resolution No. 1169, regarding Scott Hurrell, Carthage, which was adopted.

CONCURRENT RESOLUTIONS

Senator Sater offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 41

Whereas, biosimilars are generic medicines approved by the U.S. Food and Drug Administration (FDA) as “highly similar” to the original biologic medicine such that they work in the same way and have no clinically meaningful difference in safety or efficacy; and

Whereas, biosimilars are approved by the FDA based on the agency’s rigorous standards for safety, potency, and purity; and

Whereas, the FDA has approved 24 biosimilars indicated for a wide range of conditions including autoimmune diseases such as rheumatoid arthritis, psoriatic arthritis, ankylosing spondylitis, Crohn’s disease, plaque psoriasis, ulcerative colitis, and certain types of colorectal, lung, breast, and other types of cancers; and

Whereas, biosimilars cost nearly 30% less than the originator biologics, on average, and are estimated to save the U.S. healthcare system as much as \$54 billion over the next decade; and

Whereas, the Missouri General Assembly, realizing the importance of biosimilars, passed SB 875 in 2016 to encourage biosimilar utilization throughout the state; and

Whereas, unlike generics, which account for 90% of prescriptions, biosimilars make up only 2% of the U.S. market; and

Whereas, increased use of biosimilars is estimated to save state Medicaid programs between \$417 million and \$1.2 billion annually, and commercial payers \$1.2 to \$3.3 billion annually; and

Whereas anti-competitive behaviors, such as contracts that prevent biosimilars from being included on formularies, and misaligned incentives for providers are inhibiting patient access to, and system savings from, biosimilars:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby hold that biosimilar medicines are a critical tool in preventing, treating, and curing disease, as well as lowering spending on specialty medicines; and

Be It Further Resolved that the state of Missouri examine potential savings of enhanced use of biosimilars to its Medicaid and state employee health care programs in order to reduce drug costs; and

Be It Further Resolved that Missouri should evaluate Medicaid and state employee formulary coverage of biosimilars and examine provider reimbursement policies for biosimilars; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Governor, the Director of the Division of MO HealthNet, and the Board of Trustees of Missouri Consolidated Health Care Plan.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 965—By O’Laughlin.

An Act to repeal sections 190.098, 193.015, 195.070, 195.100, 208.152, 334.104, 334.108, 335.016, 335.019, 335.046, 335.051, 335.056, 335.076, 335.086, 335.175, 338.010, 338.198, and 630.175, RSMo, and to enact in lieu thereof twenty new sections relating to advanced practice registered nurses.

SB 966—By O’Laughlin.

An Act to repeal sections 167.263, 167.268, and 167.645, RSMo, and to enact in lieu thereof three new sections relating to reading success in schools.

SB 967—By Cierpiot.

An Act to repeal section 620.1580, RSMo, relating to the department of economic development.

SB 968—By Cierpiot.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to lump sum elections for state employees.

SB 969—By Riddle.

An Act to authorize the conveyance of certain state property.

SB 970—By Rowden.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to federal regulation of private health insurance, with an emergency clause.

SB 971—By Sater.

An Act to repeal sections 338.015, 376.387, and 376.388, RSMo, and to enact in lieu thereof six new sections relating to payments for prescription drugs.

SB 972—By Wieland.

An Act to repeal sections 376.1040 and 376.1042, RSMo, and to enact in lieu thereof two new sections relating to health insurance.

SB 973—By Wallingford.

An Act to repeal sections 160.805, 210.102, and 630.1000, RSMo, and to enact in lieu thereof three new sections relating to early childhood care and education programs.

SB 974—By Wallingford.

An Act to repeal section 209.030, RSMo, and to enact in lieu thereof one new section relating to blind pensions.

SB 975—By Wallingford.

An Act to repeal sections 204.602 and 204.652, RSMo, and to enact in lieu thereof two new sections relating to utility districts.

SJR 62—By Hoskins.

Joint Resolution submitting to the qualified voters of Missouri an amendment to Article I of the Constitution of Missouri, by adopting one new section relating to the right to hunt and fish.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SJR 38**, with **SS No. 2** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Hegeman, **SS No. 2** for **SJR 38** was withdrawn rendering **SA 1** moot.

Senator Hegeman offered **SS No. 3** for **SJR 38**, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE JOINT RESOLUTION NO. 38

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

Senator Hegeman moved that **SS No. 3** for **SJR 38** be adopted.

Senator Crawford assumed the Chair.

Senator Hegeman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 3 for Senate Joint Resolution No. 38, Page 22, Section B, Line 11, by inserting after “compactness,” the following: “competitiveness, fairness,”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

President Kehoe assumed the Chair.

Senator Hegeman moved that **SS No. 3** for **SJR 38**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS No. 3** for **SJR 38**, as amended, was declared perfected and order printed.

On motion of Senator Rowden, the Senate recessed until 5:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SJR 38**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SS No. 3** for **SJR 38** to the Committee on Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

February 4, 2020

Adriane Crouse

Secretary of the Senate

201 W. Capitol Ave. Rm 325

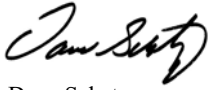
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following appointments to the Gubernatorial Appointments Committee:

I remove Senators Mike Cierpiot and Tony Luetkemeyer and appoint Senators Wayne Wallingford and Sandy Crawford.

Sincerely,



Dave Schatz

President Pro Tem

Also,

February 4, 2020

Adriane Crouse

Secretary of the Senate

201 W. Capitol Ave. Rm 325

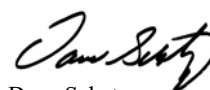
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following appointments to the Fiscal Oversight Committee:

I remove Senator Mike Cunningham and appoint Senator Dan Hegeman. In addition, I appoint Senator David Sater chair of the committee on Fiscal Oversight.

Sincerely,



Dave Schatz

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, representatives of the Missouri Craft Brewers Guild.

Senator Williams introduced to the Senate, Dr. Alan Freeman, Dr. Melissa Tepe, Dr. Catherine Moore, Dr. David Miller, and Wil Franklin, St. Louis.

Senator Arthur introduced to the Senate, Tammy Henderson, Jenny Johnston, Matt Dority, Sheila Tracy, Mike Talboy, Sabin Yenez, Mayor Kathy Rose, Matt Tapp, Jenni Mann, Mike Kellam, Lindsay French, Sam Panettiere, Mike Duffy, Ed Ford and Martin Rucker, II, representatives of the Northland Chamber of Commerce.

Senator Luetkemeyer introduced to the Senate, Mayor Bill McMurray and Tammy Killin, St. Joseph.

Senator Hegeman introduced to the Senate, Mayor Chip Holman, Gower; and Mayor Debbie Roach, Grant City.

Senator Onder introduced to the Senate, Arnie Dienoff, O'Fallon.

Senator Emery introduced to the Senate, Jeff Hull, Kenny Owen and Sharla Wilkerson, Lamar.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTEENTH DAY—WEDNESDAY, FEBRUARY 5, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater	SB 763-White
SB 730-Sater	SB 764-Onder
SB 731-Sater	SB 765-Onder
SB 732-Emery	SB 766-Onder
SB 733-Emery	SB 767-Burlison
SB 734-Emery	SB 768-Onder
SB 735-Sifton	SB 769-Burlison
SB 736-Sifton	SB 770-Hough
SB 737-Sifton	SB 771-Wallingford
SB 738-Onder	SB 772-Romine
SB 739-Onder	SB 773-Riddle
SB 740-Onder	SB 774-Brown
SB 741-Koenig	SB 775-Schatz
SB 742-Koenig	SB 776-Cunningham
SB 743-Eigel	SB 777-Wallingford
SB 744-Eigel	SB 778-Hoskins
SB 745-Burlison	SB 779-Crawford
SB 746-Burlison	SB 780-Hough
SB 747-Burlison	SB 781-Brown
SB 748-White	SB 782-Brown
SB 749-White	SB 783-Brown
SB 750-White	SB 784-Wallingford
SB 751-Hough	SB 785-Koenig
SB 752-Brown	SB 786-Romine
SB 753-Brown	SB 787-Romine
SB 754-Luetkemeyer	SB 788-Schupp
SB 755-Sater	SB 789-Schupp
SB 756-Sifton	SB 790-Schupp
SB 757-Onder	SB 791-Eigel
SB 758-Onder	SB 792-Eigel
SB 759-Onder	SB 793-Koenig
SB 760-Burlison	SB 794-Eigel
SB 761-Burlison	SB 795-Hough
SB 762-Burlison	SRB 796-Hough

SB 797-Wieland	SB 841-Arthur
SB 798-Hoskins	SB 842-Emery
SB 799-Schupp	SB 843-Burlison
SB 800-Schupp	SB 844-Burlison
SB 801-Koenig	SB 845-Burlison
SB 802-Hegeman	SB 846-Sater
SB 803-Crawford	SB 847-Eigel
SB 804-Cunningham	SB 848-Eigel
SB 805-Hoskins	SB 849-Eigel
SB 806-Koenig	SB 850-O'Laughlin
SB 807-Crawford	SB 851-O'Laughlin
SB 808-Crawford	SB 852-Hegeman
SB 809-Brown	SB 853-Crawford
SB 810-Luetkemeyer	SB 854-Crawford
SB 811-Luetkemeyer	SB 855-Wieland
SB 812-Sater	SB 856-Wieland
SB 813-Sater	SB 857-Luetkemeyer
SB 814-Nasheed	SB 858-Hegeman
SB 815-Eigel	SB 859-Hegeman
SB 816-Crawford	SB 860-Hegeman
SB 817-Crawford	SB 861-White
SB 818-Wallingford	SB 862-White
SB 819-Wallingford	SB 863-Brown
SB 820-Burlison	SB 864-Brown
SB 821-Hough	SB 865-Brown
SB 822-Wallingford	SB 866-Brown
SB 823-Wallingford	SB 867-Brown
SB 824-Wallingford	SB 868-Brown
SB 825-Libla	SB 869-Hough
SB 826-White	SB 870-Hough
SB 827-White	SB 871-Nasheed
SB 828-Hough	SB 872-Crawford
SB 829-Hough	SB 873-Crawford
SB 830-Cunningham	SB 874-Sater
SB 831-Cunningham	SB 875-Emery
SB 832-Cunningham	SB 876-Libla
SB 833-Luetkemeyer	SB 877-Burlison
SB 834-Brown	SB 878-Burlison
SB 835-Brown	SB 879-Burlison
SB 836-Onder	SB 880-Rowden
SB 837-White	SB 881-Wieland
SB 838-White	SB 882-Wieland
SB 839-Wallingford	SB 883-Hoskins
SB 840-Arthur	SB 884-Hoskins

SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder
SB 896-Eigel	SB 940-Schupp
SB 897-Cierpiot	SB 941-Sater
SB 898-Cunningham	SB 942-Riddle
SB 899-Brown	SB 943-Crawford
SB 900-Sifton	SB 944-Williams
SB 901-Wallingford	SB 945-Williams
SB 902-Wallingford	SB 946-Wieland
SB 903-Wieland	SB 947-Wieland
SB 904-Wieland	SB 948-Wallingford
SB 905-Eigel	SB 949-Riddle
SB 906-Libla	SB 950-White
SB 907-Arthur	SB 951-Schupp
SB 908-Hough	SB 952-Williams
SB 909-Wallingford	SB 953-Williams
SB 910-Wallingford	SB 954-May
SB 911-White	SB 955-Walsh
SB 912-Emery	SB 956-Onder
SB 913-Emery	SB 957-Sater
SB 914-Arthur	SB 958-Koenig
SB 915-Crawford	SB 959-Sifton
SB 916-Crawford	SB 960-Emery
SB 917-Onder	SB 961-Emery
SB 918-Onder	SB 962-Arthur
SB 919-Onder	SB 963-O'Laughlin
SB 920-Wieland	SB 964-O'Laughlin
SB 921-Wallingford	SB 965-O'Laughlin
SB 922-Luetkemeyer	SB 966-O'Laughlin
SB 923-Sifton	SB 967-Cierpiot
SB 924-Riddle	SB 968-Cierpiot
SB 925-Riddle	SB 969-Riddle
SB 926-Walsh	SB 970-Rowden
SB 927-Schatz	SB 971-Sater
SB 928-Brown	SB 972-Wieland
SB 929-Emery	SB 973-Wallingford

SB 974-Wallingford
SB 975-Wallingford
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder

SJR 58-Eigel
SJR 59-Eigel
SJR 60-Luetkemeyer
SJR 61-Nasheed
SJR 62-Hoskins

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452

HCS for HB 2046
HB 1467-Pike

THIRD READING OF SENATE BILLS

SS#3 for SJR 38-Hegeman
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 552-Wieland
2. SB 575-Eigel
3. SB 600-Luetkemeyer
4. SB 580-Cierpiot
5. SB 609-Sater, with SCS
6. SB 623-Libla
7. SB 592-White

8. SB 525-Emery, with SCS
9. SB 554-Riddle
10. SB 649-Eigel
11. SB 581-Cierpiot, with SCS
12. SB 662-Bernskoetter, with SCS
13. SBs 538, 562 & 601-Libla, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla
SB 553-Wieland, with SA 1 (pending)

SB 557-Schatz, with SCS
SB 591-White, with SCS
SJR 32-Sater

RESOLUTIONS

To be Referred

SCR 41-Sater

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Journal of the Senate

SECOND REGULAR SESSION

FIFTEENTH DAY—WEDNESDAY, FEBRUARY 5, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Williams offered the following prayer:

“I am the Lord your God, who teaches you for your own good, who leads you in the way you should go.” (Isaiah 48:17b)

Gracious Father, we offer that because we keep Your charge, walk in Your ways, and obey Your voice, we are prospering in all that we do and wherever we turn. It is because You are with us and truly guiding us in the way we should go, decisions we make and paths that You lead us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Bernskoetter	Brown	Burlison	Crawford	Eigel	Emery	Hegeman
Hoskins	Hough	Libla	May	Nasheed	O’Laughlin	Onder
Riddle	Sater	Schatz	Schupp	Wallingford	White	Wieland

Williams—22

Absent—Senators—None

Absent with leave—Senators

Arthur	Cierpiot	Cunningham	Koenig	Luetkemeyer	Rizzo	Rowden
Sifton	Walsh—9					

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1170, regarding Lacy Stokes, Mount Vernon, which was adopted.

Senator Hoskins offered Senate Resolution No. 1171, regarding Salena “Sally” Corbett, Knob Noster, which was adopted.

On behalf of Senator Luetkemeyer, Senator Wallingford offered Senate Resolution No. 1172, regarding Sarah DeGarmo, which was adopted.

On behalf of Senator Luetkemeyer, Senator Wallingford offered Senate Resolution No. 1173, regarding the Fortieth Wedding Anniversary of John David and Kimberly Ann Shewmaker, St. Joseph, which was adopted.

Senator Sater offered Senate Resolution No. 1174, regarding Alice and the late Ted Snodgrass, Anderson, which was adopted.

Senator Brown offered Senate Resolution No. 1175, regarding Jackie Schulte, Linn Creek, which was adopted.

Senator Brown offered Senate Resolution No. 1176, regarding Master Sergeant Ronald A. Copeland, Salem, which was adopted.

On behalf of Senator Sifton, Senator May offered Senate Resolution No. 1177, regarding Nathan Jay Roberts, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 1178, regarding the Division III Champions Mineral Area College Men’s Cross Country Cardinals, which was adopted.

On behalf of Senators Rowden and Sifton, Senator Wallingford offered Senate Resolution No. 1179, regarding the One Hundredth Birthday of Annie M. Seward, St. Louis, which was adopted.

Senator Burlison offered Senate Resolution No. 1180, regarding Rachel Prather, Springfield, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 976—By Sater.

An Act to repeal sections 338.035, 338.210, 338.220, and 338.260, RSMo, and to enact in lieu thereof five new sections relating to supervision of pharmacy interns at a remote dispensing site pharmacy.

SB 977—By Wallingford.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof one new section relating to the science, technology, engineering, and mathematics (STEM) initiative.

SB 978—By Wallingford.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the office of administration.

SB 979—By Wallingford.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to working animals.

On motion of Senator Wallingford, the Senate recessed until 10:23 a.m.

RECESS

The time of recess having expired the Senate was called to order by President Kehoe.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI

February 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Barbara J. Hayden, Republican, 20261 Highway EE, Sedalia, Pettis County, Missouri 65301, as a member of the State Fair Commission, for a term ending December 29, 2022, and until her successor is duly appointed and qualified; vice, Barbara J. Hayden, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Dr. Patricia Hogan Mort, 1662 South Orchard Crest Avenue, Springfield, Greene County, Missouri 65807, as a member of the Mental Health Commission, for a term ending June 28, 2022, and until her successor is duly appointed and qualified; vice, Karl E. Wilson, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Mark L. McHenry, Independent, 8608 North Marsh Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Conservation Commission, for a term ending June 30, 2025, and until his successor is duly appointed and qualified; vice, Mark L. McHenry, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Dr. Margaret “Margie” Mary Vandeven, 202 Logans Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Midwestern Higher Education Commission, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Dr. Margaret “Margie” Mary Vandeven, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz moved that the above appointments be returned to the Governor per his request, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Tracey S.C. Lewis, Independent, as a member of the Missouri Housing Development Commission;

Also,

Caleb Arthur, Republican, as a member of the State Environmental Improvement and Energy Resources Authority;

Also,

Steven D. Harrison, Independent, as a member of the Conservation Commission; and

Andrea J. Farr, Republican, as a member of the Hazardous Waste Management Commission.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and

consent to the above appointments, which motion prevailed.

REFERRALS

President Pro Tem Schatz referred **SCR 41** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

February 5, 2020


Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following appointments to the Fiscal Oversight Committee:

I remove Senator Dan Hegeman and appoint Senator Mike Cunningham. In addition, I appoint Senator Mike Cunningham chair of the committee on Fiscal Oversight.

Sincerely,



Dave Schatz
President Pro Tem

Also,

February 5, 2020

Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following appointments to committees:

Senator Lincoln Hough to Transportation, Infrastructure and Public Safety and appoint him the Vice Chair.

Senator Cindy O’Laughlin the Chair of Education.

I remove Senators Lincoln Hough and Mike Cierpiot from the Committee on Ways and Means and appoint Senator Cindy O’Laughlin to Ways and Means.

I remove Senator Cindy O’Laughlin from the committee on Government Reform and appoint Senator Sandy Crawford.

I appoint Senator Eric Burlison vice chair of Government Reform.

Sincerely,



Dave Schatz
President Pro Tem

Also,

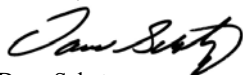
February 5, 2020

Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I appoint Senator Mike Cierpiot to the committee on Education.

Sincerely



Dave Schatz
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Libla introduced to the Senate, his wife, Elaine, Poplar Bluff.

On behalf of Senator White and himself, the President introduced to the Senate, Lieutenant Daniel Calandro, Joplin.

On motion of Senator Wallingford, the Senate adjourned until 4:00 p.m., Monday, February 10, 2020.

SENATE CALENDAR

SIXTEENTH DAY—MONDAY, FEBRUARY 10, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater
SB 730-Sater
SB 731-Sater
SB 732-Emery
SB 733-Emery
SB 734-Emery
SB 735-Sifton
SB 736-Sifton
SB 737-Sifton
SB 738-Onder
SB 739-Onder
SB 740-Onder
SB 741-Koenig

SB 742-Koenig
SB 743-Eigel
SB 744-Eigel
SB 745-Burlison
SB 746-Burlison
SB 747-Burlison
SB 748-White
SB 749-White
SB 750-White
SB 751-Hough
SB 752-Brown
SB 753-Brown
SB 754-Luetkemeyer

SB 755-Sater	SB 797-Wieland
SB 756-Sifton	SB 798-Hoskins
SB 757-Onder	SB 799-Schupp
SB 758-Onder	SB 800-Schupp
SB 759-Onder	SB 801-Koenig
SB 760-Burlison	SB 802-Hegeman
SB 761-Burlison	SB 803-Crawford
SB 762-Burlison	SB 804-Cunningham
SB 763-White	SB 805-Hoskins
SB 764-Onder	SB 806-Koenig
SB 765-Onder	SB 807-Crawford
SB 766-Onder	SB 808-Crawford
SB 767-Burlison	SB 809-Brown
SB 768-Onder	SB 810-Luetkemeyer
SB 769-Burlison	SB 811-Luetkemeyer
SB 770-Hough	SB 812-Sater
SB 771-Wallingford	SB 813-Sater
SB 772-Romine	SB 814-Nasheed
SB 773-Riddle	SB 815-Eigel
SB 774-Brown	SB 816-Crawford
SB 775-Schatz	SB 817-Crawford
SB 776-Cunningham	SB 818-Wallingford
SB 777-Wallingford	SB 819-Wallingford
SB 778-Hoskins	SB 820-Burlison
SB 779-Crawford	SB 821-Hough
SB 780-Hough	SB 822-Wallingford
SB 781-Brown	SB 823-Wallingford
SB 782-Brown	SB 824-Wallingford
SB 783-Brown	SB 825-Libla
SB 784-Wallingford	SB 826-White
SB 785-Koenig	SB 827-White
SB 786-Romine	SB 828-Hough
SB 787-Romine	SB 829-Hough
SB 788-Schupp	SB 830-Cunningham
SB 789-Schupp	SB 831-Cunningham
SB 790-Schupp	SB 832-Cunningham
SB 791-Eigel	SB 833-Luetkemeyer
SB 792-Eigel	SB 834-Brown
SB 793-Koenig	SB 835-Brown
SB 794-Eigel	SB 836-Onder
SB 795-Hough	SB 837-White
SRB 796-Hough	SB 838-White

SB 839-Wallingford	SB 881-Wieland
SB 840-Arthur	SB 882-Wieland
SB 841-Arthur	SB 883-Hoskins
SB 842-Emery	SB 884-Hoskins
SB 843-Burlison	SB 885-Walsh
SB 844-Burlison	SB 886-Walsh
SB 845-Burlison	SB 887-Walsh
SB 846-Sater	SB 888-Koenig
SB 847-Eigel	SB 889-Koenig
SB 848-Eigel	SB 890-Koenig
SB 849-Eigel	SB 891-Burlison
SB 850-O'Laughlin	SB 892-Burlison
SB 851-O'Laughlin	SB 893-Burlison
SB 852-Hegeman	SB 895-Eigel
SB 853-Crawford	SB 896-Eigel
SB 854-Crawford	SB 897-Cierpiot
SB 855-Wieland	SB 898-Cunningham
SB 856-Wieland	SB 899-Brown
SB 857-Luetkemeyer	SB 900-Sifton
SB 858-Hegeman	SB 901-Wallingford
SB 859-Hegeman	SB 902-Wallingford
SB 860-Hegeman	SB 903-Wieland
SB 861-White	SB 904-Wieland
SB 862-White	SB 905-Eigel
SB 863-Brown	SB 906-Libla
SB 864-Brown	SB 907-Arthur
SB 865-Brown	SB 908-Hough
SB 866-Brown	SB 909-Wallingford
SB 867-Brown	SB 910-Wallingford
SB 868-Brown	SB 911-White
SB 869-Hough	SB 912-Emery
SB 870-Hough	SB 913-Emery
SB 871-Nasheed	SB 914-Arthur
SB 872-Crawford	SB 915-Crawford
SB 873-Crawford	SB 916-Crawford
SB 874-Sater	SB 917-Onder
SB 875-Emery	SB 918-Onder
SB 876-Libla	SB 919-Onder
SB 877-Burlison	SB 920-Wieland
SB 878-Burlison	SB 921-Wallingford
SB 879-Burlison	SB 922-Luetkemeyer
SB 880-Rowden	SB 923-Sifton

SB 924-Riddle
 SB 925-Riddle
 SB 926-Walsh
 SB 927-Schatz
 SB 928-Brown
 SB 929-Emery
 SB 930-Eigel
 SB 931-Arthur
 SB 932-Onder
 SB 933-Onder
 SB 934-Onder
 SB 935-Wallingford
 SB 936-May
 SB 937-Nasheed
 SB 938-Onder
 SB 939-Onder
 SB 940-Schupp
 SB 941-Sater
 SB 942-Riddle
 SB 943-Crawford
 SB 944-Williams
 SB 945-Williams
 SB 946-Wieland
 SB 947-Wieland
 SB 948-Wallingford
 SB 949-Riddle
 SB 950-White
 SB 951-Schupp
 SB 952-Williams
 SB 953-Williams
 SB 954-May
 SB 955-Walsh

SB 956-Onder
 SB 957-Sater
 SB 958-Koenig
 SB 959-Sifton
 SB 960-Emery
 SB 961-Emery
 SB 962-Arthur
 SB 963-O’Laughlin
 SB 964-O’Laughlin
 SB 965-O’Laughlin
 SB 966-O’Laughlin
 SB 967-Cierpiot
 SB 968-Cierpiot
 SB 969-Riddle
 SB 970-Rowden
 SB 971-Sater
 SB 972-Wieland
 SB 973-Wallingford
 SB 974-Wallingford
 SB 975-Wallingford
 SB 976-Sater
 SB 977-Wallingford
 SB 978-Wallingford
 SB 979-Wallingford
 SJR 55-Eigel
 SJR 56-Burlison
 SJR 57-Onder
 SJR 58-Eigel
 SJR 59-Eigel
 SJR 60-Luetkemeyer
 SJR 61-Nasheed
 SJR 62-Hoskins

HOUSE BILLS ON SECOND READING

HCS for HB 2033
 HB 1450-Schroer
 HCS for HBs 1511 & 1452

HCS for HB 2046
 HB 1467-Pike

THIRD READING OF SENATE BILLS

SS#3 for SJR 38-Hegeman
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------|--|
| 1. SB 552-Wieland | 8. SB 525-Emery, with SCS |
| 2. SB 575-Eigel | 9. SB 554-Riddle |
| 3. SB 600-Luetkemeyer | 10. SB 649-Eigel |
| 4. SB 580-Cierpiot | 11. SB 581-Cierpiot, with SCS |
| 5. SB 609-Sater, with SCS | 12. SB 662-Bernskoetter, with SCS |
| 6. SB 623-Libla | 13. SBs 538, 562 & 601-Libla, with SCS |
| 7. SB 592-White | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 557-Schatz, with SCS
SB 530-Cunningham, with SCS	SB 591-White, with SCS
SB 539-Libla	SJR 32-Sater
SB 553-Wieland, with SA 1 (pending)	

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Journal of the Senate

SECOND REGULAR SESSION

SIXTEENTH DAY—MONDAY, FEBRUARY 10, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I call upon you, for you will answer me, O God; incline your ear to me, hear my words.” (Psalm 17:6)

Gracious God, each day we call upon You to teach me how to really love all those whom You have given us to love, work to complete, friends to care about and strangers that come into our lives. Teach us to trust in the power of Your love, make us grow into loving and competent people whom You have gifted with many talents. And bless the efforts we put forth this day and this time for it is our hope we are doing Your will always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Wednesday, February 5, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator White offered Senate Resolution No. 1181, regarding the One Hundredth Birthday of Mary Lenore Droska, Joplin, which was adopted.

Senator Burlison offered Senate Resolution No. 1182, regarding Bill and Gail May, which was adopted.

Senator Hegeman offered Senate Resolution No. 1183, regarding Elaine Schwindt, Rock Port, which was adopted.

Senator Hoskins offered Senate Resolution No. 1184, regarding Central Methodist University Men's Soccer Eagles, which was adopted.

Senator Hough offered Senate Resolution No. 1185, regarding Seth Hadley, Birch Tree, which was adopted.

Senator Hough offered Senate Resolution No. 1186, regarding Stephanie Urich, Morrisville, which was adopted.

Senator Hough offered Senate Resolution No. 1187, regarding Niyati Sethi, Noida, India, which was adopted.

Senator Hough offered Senate Resolution No. 1188, regarding Robbyn Rose, Harrison, which was adopted.

Senator Hough offered Senate Resolution No. 1189, regarding Cassidy Cunningham, Rogersville, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1190, regarding Ronald J. Wildenhain, Macon, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 980—By Nasheed.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to individualized programming for inmates at facilities operated by the department of corrections.

SB 981—By Cierpiot.

An Act to repeal sections 302.130 and 302.178, RSMo, and to enact in lieu thereof two new sections relating to the operation of motor vehicles.

SB 982—By Cierpiot.

An Act to repeal section 407.1329, RSMo, and to enact in lieu thereof one new section relating to recreational vehicle dealer agreements.

SB 983—By Brown.

An Act to repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

SB 984—By Crawford.

An Act to repeal sections 362.1015, 362.1030, 362.1037, 362.1040, and 362.1070, RSMo, and to enact in lieu thereof five new sections relating to Missouri family trust companies.

SB 985—By May.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to prohibitions against discriminatory policing.

SB 986—By May.

An Act to amend chapter 650, RSMo, by adding thereto one new section relating to funding to certain organizations to deter criminal behavior.

SB 987—By Williams.

An Act to repeal section 59.100, RSMo, and to enact in lieu thereof one new section relating to bonds for county recorders of deeds.

SB 988—By Emery.

An Act to repeal section 213.010, RSMo, and to enact in lieu thereof one new section for the sole purpose of defining sex as gender determined by genotype under the Missouri human rights act.

SB 989—By May.

An Act to amend chapter 191, RSMo, by adding thereto five new sections relating to safe consumption facilities.

SB 990—By May.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to life insurance, with a penalty provision.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS No. 3** for **SJR 38**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

THIRD READING OF SENATE BILLS

SS No. 3 for **SJR 38**, introduced by Senator Hegeman, entitled:

SENATE SUBSTITUTE NO. 3 FOR SENATE JOINT RESOLUTION NO. 38

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

Was taken up.

On motion of Senator Hegeman, **SS No. 3** for **SJR 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Koenig	Libla	Luetkemeyer	O’Laughlin
Onder	Riddle	Rowden	Sater	Schatz	Wallingford	White

NAYS—Senators

Arthur	Hough	May	Nasheed	Rizzo	Schupp	Sifton
Walsh	Williams—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the joint resolution passed.

On motion of Senator Hegeman, title to the joint resolution was agreed to.

Senator Hegeman moved that the vote by which the joint resolution passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 539** be taken up for perfection, which motion prevailed.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 539, Page 1, In the Title, Line 3, of the title, by striking “taxation of motor fuel” and inserting in lieu thereof the following: “transportation”; and

Further amend said bill, Page 3, Section 142.803, Line 72, by inserting after all of said line the following:

“226.235. The highways and transportation commission shall, not less than once every three years, commission an independent audit of the accounts and records of the department of transportation by a certified public accountant as the commission may select. Upon completion of the audit, the certified public accountant shall deliver a report of his or her findings to the highways and transportation commission and to the committees of the legislature having jurisdiction over transportation matters.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

At the request of Senator Libla, **SB 539**, with **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1963**, entitled:

An Act to repeal section 227.600, RSMo, and to enact in lieu thereof one new section relating to high speed transportation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1296**, entitled:

An Act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to the offense of possession of unlawful items in a prison or jail, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1521**, entitled:

An Act to repeal sections 8.010, 8.170, 8.172, 8.177, and 8.178, RSMo, and to enact in lieu thereof six new sections relating to the capitol police board, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1934**, entitled:

An Act to repeal section 169.020, RSMo, and to enact in lieu thereof one new section relating to the public school retirement system of Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

February 10, 2020

Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

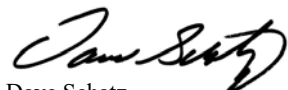
Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following changes to committees:

I remove Senators Wayne Wallingford and Sandy Crawford from the Gubernatorial Appointments Committee and appoint Senators Mike Cierpiot and Tony Luetkemeyer to the committee on Gubernatorial Appointments.

I appoint Senator Denny Hoskins to the committee on Commerce, Consumer Protection, Energy and the Environment.

Sincerely,



Dave Schatz
President Pro Tem

Senator White submitted the following:

February 10, 2020

Adriane D. Crouse, J.D.
Secretary of Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Mrs. Crouse,

Due to my recent injury, I request that I temporarily be recognized from my chair, pursuant to Rule 76.

Thank you for your assistance, should you need additional information, please feel free to contact me at (573) 751-2173.

Sincerely,

/s/ Bill White

Bill White

Senator – District 32

INTRODUCTIONS OF GUESTS

Senator Williams introduced to the Senate, Kevin Hampton, Dr. Courtney Graves, Dr. Donna Paulette-Thurman, and Dr. Joseph Davis, Ferguson-Florissant School District; and Kristine Hendrix, George Lenard, Chelsea Addison, and Joanne Soudan, University City School District.

Senator Luetkemeyer introduced to the Senate, Scott Monsees, Park Hill School District.

Senator Sifton introduced to the Senate, Jayann Sepich, New Mexico.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY–TUESDAY, FEBRUARY 11, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater
SB 730-Sater
SB 731-Sater
SB 732-Emery
SB 733-Emery
SB 734-Emery
SB 735-Sifton
SB 736-Sifton
SB 737-Sifton
SB 738-Onder

SB 739-Onder
SB 740-Onder
SB 741-Koenig
SB 742-Koenig
SB 743-Eigel
SB 744-Eigel
SB 745-Burlison
SB 746-Burlison
SB 747-Burlison
SB 748-White

SB 749-White	SB 793-Koenig
SB 750-White	SB 794-Eigel
SB 751-Hough	SB 795-Hough
SB 752-Brown	SRB 796-Hough
SB 753-Brown	SB 797-Wieland
SB 754-Luetkemeyer	SB 798-Hoskins
SB 755-Sater	SB 799-Schupp
SB 756-Sifton	SB 800-Schupp
SB 757-Onder	SB 801-Koenig
SB 758-Onder	SB 802-Hegeman
SB 759-Onder	SB 803-Crawford
SB 760-Burlison	SB 804-Cunningham
SB 761-Burlison	SB 805-Hoskins
SB 762-Burlison	SB 806-Koenig
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SB 765-Onder	SB 809-Brown
SB 766-Onder	SB 810-Luetkemeyer
SB 767-Burlison	SB 811-Luetkemeyer
SB 768-Onder	SB 812-Sater
SB 769-Burlison	SB 813-Sater
SB 770-Hough	SB 814-Nasheed
SB 771-Wallingford	SB 815-Eigel
SB 772-Romine	SB 816-Crawford
SB 773-Riddle	SB 817-Crawford
SB 774-Brown	SB 818-Wallingford
SB 775-Schatz	SB 819-Wallingford
SB 776-Cunningham	SB 820-Burlison
SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
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SB 782-Brown	SB 826-White
SB 783-Brown	SB 827-White
SB 784-Wallingford	SB 828-Hough
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SB 786-Romine	SB 830-Cunningham
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SB 790-Schupp	SB 834-Brown
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SB 792-Eigel	SB 836-Onder

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SB 838-White	SB 882-Wieland
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SB 849-Eigel	SB 893-Burlison
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SB 851-O'Laughlin	SB 896-Eigel
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SB 878-Burlison	SB 923-Sifton
SB 879-Burlison	SB 924-Riddle
SB 880-Rowden	SB 925-Riddle

SB 926-Walsh	SB 963-O’Laughlin
SB 927-Schatz	SB 964-O’Laughlin
SB 928-Brown	SB 965-O’Laughlin
SB 929-Emery	SB 966-O’Laughlin
SB 930-Eigel	SB 967-Cierpiot
SB 931-Arthur	SB 968-Cierpiot
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SB 934-Onder	SB 971-Sater
SB 935-Wallingford	SB 972-Wieland
SB 936-May	SB 973-Wallingford
SB 937-Nasheed	SB 974-Wallingford
SB 938-Onder	SB 975-Wallingford
SB 939-Onder	SB 976-Sater
SB 940-Schupp	SB 977-Wallingford
SB 941-Sater	SB 978-Wallingford
SB 942-Riddle	SB 979-Wallingford
SB 943-Crawford	SB 980-Nasheed
SB 944-Williams	SB 981-Cierpiot
SB 945-Williams	SB 982-Cierpiot
SB 946-Wieland	SB 983-Brown
SB 947-Wieland	SB 984-Crawford
SB 948-Wallingford	SB 985-May
SB 949-Riddle	SB 986-May
SB 950-White	SB 987-Williams
SB 951-Schupp	SB 988-Emery
SB 952-Williams	SB 989-May
SB 953-Williams	SB 990-May
SB 954-May	SJR 55-Eigel
SB 955-Walsh	SJR 56-Burlison
SB 956-Onder	SJR 57-Onder
SB 957-Sater	SJR 58-Eigel
SB 958-Koenig	SJR 59-Eigel
SB 959-Sifton	SJR 60-Luetkemeyer
SB 960-Emery	SJR 61-Nasheed
SB 961-Emery	SJR 62-Hoskins
SB 962-Arthur	

HOUSE BILLS ON SECOND READING

HCS for HB 2033	HCS for HB 2046
HB 1450-Schroer	HB 1467-Pike
HCS for HBs 1511 & 1452	HB 1963-Fitzwater

HB 1296-Dinkins
HCS for HB 1521

HB 1934-Wiemann

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------|--|
| 1. SB 552-Wieland | 8. SB 525-Emery, with SCS |
| 2. SB 575-Eigel | 9. SB 554-Riddle |
| 3. SB 600-Luetkemeyer | 10. SB 649-Eigel |
| 4. SB 580-Cierpiot | 11. SB 581-Cierpiot, with SCS |
| 5. SB 609-Sater, with SCS | 12. SB 662-Bernskoetter, with SCS |
| 6. SB 623-Libla | 13. SBs 538, 562 & 601-Libla, with SCS |
| 7. SB 592-White | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 557-Schatz, with SCS
SB 530-Cunningham, with SCS	SB 591-White, with SCS
SB 539-Libla, with SA 1 (pending)	SJR 32-Sater
SB 553-Wieland, with SA 1 (pending)	

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTEENTH DAY—TUESDAY, FEBRUARY 11, 2020

The Senate met pursuant to adjournment.

Senator Hough in the Chair.

Reverend Carl Gauck offered the following prayer:

“The law of the Lord is perfect, reviving the soul;” (Psalm 19:7a)

Heavenly Father, we know that You have given us Your law so that we might live faithfully and righteously as Your people. Please, Lord, continue to help us be the people You want us to be and what we do have significance in the success that we as a senate can bring about. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered the following resolution:

SENATE RESOLUTION NO. 1191

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the Sue Shear Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Sue Shear Leadership Academy use of the Senate Chamber for the purpose of conducting a mock legislative session from 10:00 am to 12:00 pm on Wednesday, May 20, 2020.

Senator Walsh requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1191** up for adoption, which request was granted.

On motion of Senator Walsh, **SR 1191** was adopted.

CONCURRENT RESOLUTIONS

Senator Eigel offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 42

Whereas, Article I of the United States Constitution begins "All legislative powers herein granted shall be vested in a Congress"; and

Whereas, the Congress has exceeded the legislative powers granted in the Constitution thereby encroaching on the powers that are "reserved to the states respectively, or to the people" as the Tenth Amendment affirms and the rights "retained by the people" to which the Ninth Amendment refers; and

Whereas, in Federalist No. 10, James Madison wrote that "No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, ...with greater reason, a body of men are unfit to be both judges and parties at the same time"; and

Whereas, this same principle was emphasized in the 1798 Kentucky Resolutions (drafted by Thomas Jefferson) that the United States government "was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers"; and

Whereas, the Congress has latent but neglected powers to correct such judicial supremacy by means of Article III Section 2 regulations on appellate jurisdiction, yet by similar reasoning such regulatory powers should be additionally extended to the several states, heeding Jefferson's warnings that we not make the Constitution "a mere thing of wax in the hands of the judiciary" for "to consider the judges as the ultimate arbiters of all constitutional questions" would then "place us under the despotism of an oligarchy", rather "the people themselves" are the "true corrective of constitutional abuses" and the states remain the closest and most representative voice of the people; and

Whereas, the United States Constitution should then be amended to enable the several states to correct violations of the limited powers by the United States and thereby restore the proper balance between the powers of Congress and those of the several states, and better prevent the denial or disparagement of the rights retained by the people:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the Congress of the United States to propose the following amendment, known as the State Powers Amendment, or SPA:

"Section 1. Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of a Representative Majority of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed. A Representative Majority of the several states is a majority of the states also having together a majority of the apportioned Representatives in Congress.

Section 2. The several states shall have power to make regulations and exceptions to the appellate jurisdiction of the Supreme Court and all inferior courts and tribunals of the United States, and such regulations and exceptions shall be effective when the legislatures of a Representative Majority of the several states approve identical resolutions for this purpose no more than five years apart."; and

Be It Further Resolved that should the Congress fail to act after two-thirds of the several states petition alike in substance for a State

Powers Amendment, then a “convention to propose amendments” under Article V of the United States Constitution shall be the proper course and that delegates to such convention should be selected by the legislatures in the several states and should vote by state, according to the practices established by the 1787 Federal Convention in Philadelphia; and

Be It Further Resolved that the state of Missouri reserves its further right to petition in the same manner for further amendments as the General Assembly may deem warranted; and

Be It Further Resolved that copies of this resolution be forwarded to the legislatures of all the several states inviting them to likewise join in support of this petition; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 991—By Walsh.

An Act to amend chapter 436, RSMo, by adding thereto one new section relating to construction contracts.

SB 992—By Burlison.

An Act to repeal sections 327.011, 327.091, 327.101, 327.131, 327.191, 327.241, and 327.612, RSMo, and to enact in lieu thereof seven new sections relating to licensing of architects, engineers, and landscape architects.

SB 993—By Burlison.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to off-label uses of drugs, biological products, or medical devices.

SB 994—By Bernskoetter.

An Act to repeal sections 266.355, 643.050, 643.079, and 643.245, RSMo, and to enact in lieu thereof three new sections relating to anhydrous ammonia.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 995—By Cunningham.

An Act to repeal sections 544.020 and 544.455, RSMo, and to enact in lieu thereof three new sections relating to the release of a person charged with a bailable offense.

SB 996—By Onder.

An Act to repeal section 161.670, RSMo, and to enact in lieu thereof one new section relating to the virtual school program.

SB 997—By Bernskoetter.

An Act to repeal section sections 162.261, 162.281, 162.291, 162.471, 162.481, and 162.491, RSMo, and to enact in lieu thereof six new sections relating to school district subdistricts.

SB 998—By Sifton.

An Act to repeal section 105.456, RSMo, and to enact in lieu thereof one new section relating to prohibiting gifts from lobbyists.

SENATE BILLS FOR PERFECTION

At the request of Senator Wieland, **SB 552** was placed on the Informal Calendar.

At the request of Senator Eigel, **SB 575** was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 600** was placed on the Informal Calendar.

Senator Cierpiot moved that **SB 580**, be taken up for perfection, which motion prevailed.

Senator Cierpiot offered **SS** for **SB 580**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 580

An Act to amend chapters 143 and 191, RSMo, by adding thereto seven new sections relating to long-term care savings accounts.

Senator Cierpiot moved that **SS** for **SB 580** be adopted.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 580, Page 2, Section 143.1160, Line 13, by striking the word “eight” and inserting in lieu thereof the following: “**four**”; and further amend line 14 by striking the word “sixteen” and inserting in lieu thereof the following: “**eight**”; and

Further amend said bill and section, page 3, line 19, by striking the word “six” and inserting in lieu thereof the following: “**four**”; and further amend line 24 by striking the word “six” and inserting in lieu thereof the following: “**four**”.

Senator Eigel moved that the above amendment be adopted, which motion prevailed.

Senator Hough offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 580, Page 1, In the Title, Lines 3-4, by striking the words “long-term care savings accounts” and inserting in lieu thereof the following: “taxation”; and

Further amend said bill and page, section A, line 4, by inserting after all of said line the following:

“94.842. 1. The governing body of any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be

more than seven and one-half percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. Such tax shall be stated separately from all other charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the _____ (city) levy a tax of _____ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for capital investments to increase tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.”; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted.

Senator Eigel raised the point of order that SA 2 is out of order as it goes beyond the scope of the original bill.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **SB 580**, with **SS**, **SA 2** and the point of order (pending), on the Informal Calendar.

Senator Sater moved that **SB 609**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 609**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 609

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to opioid addiction treatment.

Was taken up.

Senator Sater moved that **SCS** for **SB 609** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 609, Page 1, Section 196.1050, Line 19, by inserting after “health” the following: “, **the department of health and senior services, the department of social services,**”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator May offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 609, Page 1, Section 196.1050, Line 6, by inserting after the word “and” the following: “**prevention**” and further amend line 8 by inserting after the word “treatment” the following: “**and prevention**” and further amend line 10 by inserting after the word “treatment” the following: “**and prevention**”.

Senator May moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SCS** for **SB 609**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 609**, as amended, was declared perfected and ordered printed.

Senator White moved that **SB 591**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 591**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal sections 510.263, 510.265, 538.205, and 538.210, RSMo, and to enact in lieu thereof five new sections relating to punitive damages.

Was taken up.

Senator White moved that **SCS** for **SB 591** be adopted.

Senator White offered **SS** for **SCS** for **SB 591**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal sections 182.817, 191.656, 213.111, 260.210, 407.020, 407.025, 417.457, 435.415, 448.4-117, 510.263, 510.265, 537.065, 537.090, 538.205, 538.210, 542.418, and 544.195, RSMo, and to enact in lieu thereof eighteen new sections relating to civil actions, with existing penalty provisions.

Senator White moved that **SS** for **SCS** for **SB 591** be adopted.

President Pro Tem Schatz assumed the Chair.

Senator Hough assumed the Chair.

At the request of Senator White, **SB 591**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 609**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 1192, regarding Judith C. Burkholder, Kansas City, which was adopted.

Senator Rizzo offered Senate Resolution No. 1193, regarding the One Hundredth Birthday of Betty L. Shireman, Kansas City, which was adopted.

Senator Onder offered Senate Resolution No. 1194, regarding Dennis A. Emge, which was adopted.

Senator Onder offered Senate Resolution No. 1195, regarding Melvin A. “Mel” Emge, which was adopted.

Senator Brown offered Senate Resolution No. 1196, regarding the Ninetieth Anniversary of the Rolla FFA Chapter, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1197, regarding Barb Barrymore, which was adopted.

Senator Wallingford offered Senate Resolution No. 1198, regarding Caleb Craft, Jackson, which was adopted.

Senator Williams offered Senate Resolution No. 1199, regarding Mary Robinson, which was adopted.

Senator Williams offered Senate Resolution No. 1200, regarding Arthur Clayton Robinson, which was adopted.

Senator Williams offered Senate Resolution No. 1201, regarding Florence Terry Pullen, which was adopted.

Senator Williams offered Senate Resolution No. 1202, regarding Donna Irvin-Woods, which was adopted.

Senator Williams offered Senate Resolution No. 1203, regarding Deborah Hayman, which was adopted.

Senator Williams offered Senate Resolution No. 1204, regarding Martha E. Wynne Harvey, which was adopted.

Senator Williams offered Senate Resolution No. 1205, regarding Pamela Denise Fountain, which was adopted.

Senator Williams offered Senate Resolution No. 1206, regarding Tommie Lee Davis Jr., which was adopted.

Senator Williams offered Senate Resolution No. 1207, regarding Councilman Floyd Blackwell, which was adopted.

Senator Williams offered Senate Resolution No. 1208, regarding Janet Faith Wallace, which was adopted.

Senator Hegeman offered Senate Resolution No. 1209, regarding Caden Rardon, Lathrop, which was adopted.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

February 11, 2020

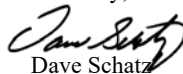
Mrs. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65109

Re: Joint Committee on Administrative Rules

Dear Mrs. Crouse;

I hereby appoint Senator Rizzo to the Joint Committee on Administrative Rules to fill the vacancy created by the resignation of Senator Holsman.

Sincerely,


Dave Schatz

INTRODUCTIONS OF GUESTS

Senator Hoskins introduced to the Senate, Carol White, Warrensburg; Phyllis Domann, Sedalia; Felicia Farabee and Beth Smith, Richmond.

Senator Wieland introduced to the Senate, representatives of the Heartland Credit Union Association, and the credit union community of Missouri.

Senator Bernskoetter introduced to the Senate, State Executive Advisor Keith Dietzschold; and Brenden Kleiboeker, Pierce City; Isaiah Massey, Troy; Alexandra Gast, Nevada; Elizabeth Brooks, Ashland; Kensie Darst, Aurora; Jacob Hall, Marshall; Jessica Janorschke, DeKalb; Drew Kientzy, Silex; Jacob Knaebel,

Fatima; Natalie Koch, Belle; Kaylee Lewis, Chillicothe; Andrew Moore, Clark County; Matthew Morgan, Lamar; Tyler Schuster, Boonville; Kate Thompson, Columbia; and Alexis Wilkinson, Sikeston, 2019-2020 State FFA Officers.

Senator Eigel introduced to the Senate, Rachel Parrent, Heartland Credit Union Association.

Senator Riddle introduced to the Senate, Taylor Rumsey and Shannon Peters, Central Methodist University; and Jonathan Neaf, Westminster College.

Senator Rowden introduced to the Senate, students from Battle High School, Columbia.

Senator O’Laughlin introduced to the Senate, John Roach, Carol and Lanny Henze, Don Zahn, and Kim Schneider, LaGrange.

Senator Williams introduced to the Senate, Tom Spivey, Jennings High School.

Senator Schupp introduced to the Senate, Mayor Terry Briggs, Jerry Grimmer, Drew Purcell, Joni Norris, and Kevin Bookout, Bridgeton City Council; and Mayor Barry Glantz, Mark Perkins and Carl Lumley, Creve Coeur.

Senator Cunningham introduced to the Senate, Richard Eakin, Mark Collins

Tom Stehn, and Michael Topliff, Howell County; and Herman Kelly, Shannon County.

Senator Williams introduced to the Senate, Alderwoman Marvalda Jones, Northwoods; Mayor James McGee, Alderwoman Dianne Bryant-Miller, and Board President Celeste McGee, Vinita Park; and Councilman Terry Wilson, Jennings.

Senator Eigel introduced to the Senate, Dennis Boll, St. Charles.

Senator May introduced to the Senate, the Physician of the Day, Dr. Matt Linsenhardt, Brentwood.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

EIGHTEENTH DAY—WEDNESDAY, FEBRUARY 12, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater
SB 730-Sater
SB 731-Sater
SB 732-Emery
SB 733-Emery

SB 734-Emery
SB 735-Sifton
SB 736-Sifton
SB 737-Sifton
SB 738-Onder

SB 739-Onder	SB 783-Brown
SB 740-Onder	SB 784-Wallingford
SB 741-Koenig	SB 785-Koenig
SB 742-Koenig	SB 786-Romine
SB 743-Eigel	SB 787-Romine
SB 744-Eigel	SB 788-Schupp
SB 745-Burlison	SB 789-Schupp
SB 746-Burlison	SB 790-Schupp
SB 747-Burlison	SB 791-Eigel
SB 748-White	SB 792-Eigel
SB 749-White	SB 793-Koenig
SB 750-White	SB 794-Eigel
SB 751-Hough	SB 795-Hough
SB 752-Brown	SRB 796-Hough
SB 753-Brown	SB 797-Wieland
SB 754-Luetkemeyer	SB 798-Hoskins
SB 755-Sater	SB 799-Schupp
SB 756-Sifton	SB 800-Schupp
SB 757-Onder	SB 801-Koenig
SB 758-Onder	SB 802-Hegeman
SB 759-Onder	SB 803-Crawford
SB 760-Burlison	SB 804-Cunningham
SB 761-Burlison	SB 805-Hoskins
SB 762-Burlison	SB 806-Koenig
SB 763-White	SB 807-Crawford
SB 764-Onder	SB 808-Crawford
SB 765-Onder	SB 809-Brown
SB 766-Onder	SB 810-Luetkemeyer
SB 767-Burlison	SB 811-Luetkemeyer
SB 768-Onder	SB 812-Sater
SB 769-Burlison	SB 813-Sater
SB 770-Hough	SB 814-Nasheed
SB 771-Wallingford	SB 815-Eigel
SB 772-Romine	SB 816-Crawford
SB 773-Riddle	SB 817-Crawford
SB 774-Brown	SB 818-Wallingford
SB 775-Schatz	SB 819-Wallingford
SB 776-Cunningham	SB 820-Burlison
SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
SB 780-Hough	SB 824-Wallingford
SB 781-Brown	SB 825-Libla
SB 782-Brown	SB 826-White

SB 827-White	SB 871-Nasheed
SB 828-Hough	SB 872-Crawford
SB 829-Hough	SB 873-Crawford
SB 830-Cunningham	SB 874-Sater
SB 831-Cunningham	SB 875-Emery
SB 832-Cunningham	SB 876-Libla
SB 833-Luetkemeyer	SB 877-Burlison
SB 834-Brown	SB 878-Burlison
SB 835-Brown	SB 879-Burlison
SB 836-Onder	SB 880-Rowden
SB 837-White	SB 881-Wieland
SB 838-White	SB 882-Wieland
SB 839-Wallingford	SB 883-Hoskins
SB 840-Arthur	SB 884-Hoskins
SB 841-Arthur	SB 885-Walsh
SB 842-Emery	SB 886-Walsh
SB 843-Burlison	SB 887-Walsh
SB 844-Burlison	SB 888-Koenig
SB 845-Burlison	SB 889-Koenig
SB 846-Sater	SB 890-Koenig
SB 847-Eigel	SB 891-Burlison
SB 848-Eigel	SB 892-Burlison
SB 849-Eigel	SB 893-Burlison
SB 850-O’Laughlin	SB 895-Eigel
SB 851-O’Laughlin	SB 896-Eigel
SB 852-Hegeman	SB 897-Cierpiot
SB 853-Crawford	SB 898-Cunningham
SB 854-Crawford	SB 899-Brown
SB 855-Wieland	SB 900-Sifton
SB 856-Wieland	SB 901-Wallingford
SB 857-Luetkemeyer	SB 902-Wallingford
SB 858-Hegeman	SB 903-Wieland
SB 859-Hegeman	SB 904-Wieland
SB 860-Hegeman	SB 905-Eigel
SB 861-White	SB 906-Libla
SB 862-White	SB 907-Arthur
SB 863-Brown	SB 908-Hough
SB 864-Brown	SB 909-Wallingford
SB 865-Brown	SB 910-Wallingford
SB 866-Brown	SB 911-White
SB 867-Brown	SB 912-Emery
SB 868-Brown	SB 913-Emery
SB 869-Hough	SB 914-Arthur
SB 870-Hough	SB 915-Crawford

SB 916-Crawford	SB 960-Emery
SB 917-Onder	SB 961-Emery
SB 918-Onder	SB 962-Arthur
SB 919-Onder	SB 963-O'Laughlin
SB 920-Wieland	SB 964-O'Laughlin
SB 921-Wallingford	SB 965-O'Laughlin
SB 922-Luetkemeyer	SB 966-O'Laughlin
SB 923-Sifton	SB 967-Cierpiot
SB 924-Riddle	SB 968-Cierpiot
SB 925-Riddle	SB 969-Riddle
SB 926-Walsh	SB 970-Rowden
SB 927-Schatz	SB 971-Sater
SB 928-Brown	SB 972-Wieland
SB 929-Emery	SB 973-Wallingford
SB 930-Eigel	SB 974-Wallingford
SB 931-Arthur	SB 975-Wallingford
SB 932-Onder	SB 976-Sater
SB 933-Onder	SB 977-Wallingford
SB 934-Onder	SB 978-Wallingford
SB 935-Wallingford	SB 979-Wallingford
SB 936-May	SB 980-Nasheed
SB 937-Nasheed	SB 981-Cierpiot
SB 938-Onder	SB 982-Cierpiot
SB 939-Onder	SB 983-Brown
SB 940-Schupp	SB 984-Crawford
SB 941-Sater	SB 985-May
SB 942-Riddle	SB 986-May
SB 943-Crawford	SB 987-Williams
SB 944-Williams	SB 988-Emery
SB 945-Williams	SB 989-May
SB 946-Wieland	SB 990-May
SB 947-Wieland	SB 991-Walsh
SB 948-Wallingford	SB 992-Burlison
SB 949-Riddle	SB 993-Burlison
SB 950-White	SB 994-Bernskoetter
SB 951-Schupp	SB 995-Cunningham
SB 952-Williams	SB 996-Onder
SB 953-Williams	SB 997-Bernskoetter
SB 954-May	SB 998-Sifton
SB 955-Walsh	SJR 55-Eigel
SB 956-Onder	SJR 56-Burlison
SB 957-Sater	SJR 57-Onder
SB 958-Koenig	SJR 58-Eigel
SB 959-Sifton	SJR 59-Eigel

SJR 60-Luetkemeyer
SJR 61-Nasheed

SJR 62-Hoskins

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452
HCS for HB 2046
HB 1467-Pike

HB 1963-Fitzwater
HB 1296-Dinkins
HCS for HB 1521
HB 1934-Wiemann

THIRD READING OF SENATE BILLS

SCS for SB 609-Sater

SENATE BILLS FOR PERFECTION

SB 623-Libla
SB 592-White
SB 525-Emery, with SCS
SB 554-Riddle

SB 649-Eigel
SB 581-Cierpiot, with SCS
SB 662-Bernskoetter, with SCS
SBs 538, 562 & 601-Libla, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla, with SA 1 (pending)
SB 552-Wieland
SB 553-Wieland, with SA 1 (pending)
SB 557-Schatz, with SCS
SB 575-Eigel

SB 580-Cierpiot, with SS, SA 2 & point
of order (pending)
SB 591-White, with SCS & SS for SCS
(pending)
SB 600-Luetkemeyer
SJR 32-Sater

RESOLUTIONS

To be Referred

SCR 42-Eigel

✓

Journal of the Senate

SECOND REGULAR SESSION

EIGHTEENTH DAY—WEDNESDAY, FEBRUARY 12, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

Reverend Carl Gauck offered the following prayer:

“You cannot escape the responsibility of tomorrow by evading it today.” (President Abraham Lincoln)

We remember this day Abraham Lincoln’s birthday and remember most how in very humble but brilliant ways he provided leadership to our country at a crucial time as it was being torn apart. Help us Lord to be men and women who can provide leadership and caring that can help heal the painful gap created by anger and hatred that we see growing about us. Bless our efforts Lord so that what we seek to bring about will be seen with Your spirit within them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 1210, regarding the 175th Anniversary of Moniteau County, which was adopted.

REFERRALS

President Pro Tem Schatz referred **SCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Rowden assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Neal Bredehoeft, Republican, 10924 Highway 23, Alma, Lafayette County, Missouri 64001, as a member of the Clean Water Commission, for a term ending April 12, 2022, and until his successor is duly appointed and qualified; vice, John Cowherd, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Clark Hemeyer, Democrat, 55456 Seeley Lane, Frankford, Ralls County, Missouri 63441, as a member of the State Lottery Commission, for a term ending September 7, 2020, and until his successor is duly appointed and qualified; vice, Paul K. Kincaid, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Cindy Herrmann Baker, 5521 Hollywood Road, Ozark, Christian County, Missouri 65721, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Cynthia Herrmann Baker, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Linda Hermann (Wimpfheimer), 222 South Maple, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Linda Sue Hermann Wimpfheimer, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gregory E. Hoberock, Republican, 500 Braeburn Court, Washington, Franklin County, Missouri 63090, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Jamie L. Farmer, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lydia Hurst, Republican, 18541 State Highway O, Tarkio, Atchison County, Missouri 64491, as a member of the Northwest Missouri

State University Board of Regents, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, Richard N. Smith, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rick Kegler, 910 Del Ebro Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the Drug Utilization Review Board, for a term ending October 15, 2023, and until his successor is duly appointed and qualified; vice, R. Randolph Beckner, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark L. McHenry, Independent, 8608 North Marsh Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Conservation Commission, for a term ending June 30, 2025, and until his successor is duly appointed and qualified; vice, Mark L. McHenry, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Lisa J. Pierce, 4910 County Road 105, Fulton, Callaway County, Missouri 65251, as a member of the Drug Utilization Review Board, for a term ending October 15, 2023, and until her successor is duly appointed and qualified; vice, Glenn Talboy, Jr., term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Laura A. Rauscher, 105 Mechlin Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Committee for Professional Counselors, for a term ending August 28, 2021, and until her successor is duly appointed and qualified; vice, Rhonda J. Wood, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robin R. Wencker, Independent, 1404 Torrey Pines Drive, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, Jon T. Sundvold, term expired.

Respectfully submitted,

Michael L. Parson

Governor

On motion of Senator Wallingford, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 999—By Walsh.

An Act to repeal sections 86.200, 86.223, 86.247, 86.250, 86.251, 86.253, 86.254, 86.257, 86.260, 86.263, 86.267, 86.277, 86.283, 86.288, 86.290, 86.320, 86.330, 86.333, 86.337, 86.344, and 86.354, RSMo, and to enact in lieu thereof twenty-one new sections relating to retirement benefits for police officers.

SB 1000—By Onder.

An Act to repeal sections 104.150, 104.440, 104.1069, and 105.688, RSMo, and to enact in lieu thereof five new sections relating to the public disclosure of certain financial information of public employee retirement systems.

REFERRALS

President Pro Tem Schatz referred the gubernatorial appointments appearing on pages 263-266 to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Eigel moved that **SB 575** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Eigel offered SS for **SB 575**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 575

An Act to amend chapter 537, RSMo, by adding thereto six new sections relating to actions for damages due to exposure to asbestos.

Senator Eigel moved that SS for **SB 575** be adopted.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 575, Page 1, In the Title, Line 3, by striking the following from said line: “actions for damages due to”; and

Further amend page 8, section 537.890, line 21 by inserting after all of said section the following:

“Section 1. 1. As used in this section, the following terms mean:

(1) “Asbestos”:

(a) The asbestiform varieties of chrysotile, actinolite, amosite, anthophyllite, crocidolite, richterite, winchite, and tremolite; and

(b) The nonasbestiform varieties of richterite and winchite.

(2) “Mixture or article containing asbestos”, includes a mixture or article in which asbestos is present as an impurity.

2. (1) Effective one year after the effective date of this section, no person or entity may manufacture, process, sell, or distribute asbestos or any mixture or article containing asbestos.

(2) The provisions of this section shall not apply to:

(a) End-use of a mixture or article containing asbestos and installed in a building or other structure before the effective date of this section; or

(b) Distribution of a mixture or article containing asbestos solely for the purpose of disposal of the mixture or article in compliance with applicable federal, state, and local requirements.

3. (1) Notwithstanding any other provision of law to the contrary, the labor and industrial relations commission may, on application, grant any person or entity an exemption from the prohibition under subsection 2 of this section for the manufacture, processing, sale, or distribution of asbestos or any mixture or article containing asbestos only if the labor and industrial relations commission determines that:

(a) The manufacture, processing, or distribution in commerce of asbestos or any mixture or article containing asbestos by the person is necessary to protect law enforcement interests or the security interests of the state or any political subdivision; and

(b) No feasible alternative to the manufacture, processing, or distribution in commerce of asbestos or any mixture or article containing asbestos exists for the intended use.

(2) The period of an exemption granted under this subsection shall not exceed three years.

(3) The labor and industrial relations commission may, in accordance with the standards described in subdivision (1) of this subsection, extend an exemption granted under subdivision (1) once, for a period not to exceed three years.

(c) An exemption granted under this subsection, including any extension, shall include such terms and conditions as are necessary in the discretion of the labor and industrial relations commission to achieve the maximum practicable reduction in exposure to asbestos.

4. Not later than thirty days after receipt of an application for exemption under subsection 3 of this section, the labor and industrial relations commission shall publish the application in the Missouri Register.

5. Not later than thirty days after granting an exemption under this section, the labor and industrial relations commission shall publish in the Missouri Register:

(1) A notice of the exemption; and

(2) The terms and conditions included under subsection 3 of this section.

6. Any person or entity granted an exemption under subsection 3 of this section shall within six months after the granting of the exemption and every six months thereafter so long as the exemption is in effect, submit to the labor and industrial relations commission a report describing:

(1) The date on which the exemption is granted;

(2) The date on which the exemption is extended, if applicable;

(3) The name and address of the person submitting the report;

(4) The name, title, and contact information of an authorized representative of the person submitting the report;

(5) The location of the facility or facilities where the manufacture, processing, or distribution in commerce of asbestos or mixtures or articles containing asbestos has occurred, or will occur, during the reporting period;

(6) A description of the manufacture, processing, sale or distribution activity during the reporting period of the person or entity submitting the report and the intended and known uses of asbestos and each mixture or article containing asbestos by that person or entity and all other persons to whom the asbestos, mixture, or article is sold or otherwise distributed;

(7) The quantity of asbestos, and the quantity and concentration of asbestos in any mixture or article containing asbestos, that is manufactured, processed, sold, or distributed, or expected to be manufactured, processed, sold, or distributed, by the person or entity during the reporting period;

(8) Reasonable estimates of the quantity of asbestos to be disposed of as a result of the reported manufacture, processing, sale, or distribution activities, and the manner of the disposal; and

(9) Reasonable estimates of the number of individuals who, as a result of the reported manufacture, processing, and distribution activities:

- (a) Have been exposed to asbestos or mixtures or articles containing asbestos;
- (b) Will be so exposed; and
- (c) The nature, duration, frequency, and levels of any such exposure.

7. The labor and industrial relations commission shall promulgate rules necessary to administer and implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

At the request of Senator Eigel, **SB 575**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Luetkemeyer moved that **SB 600** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Luetkemeyer offered **SS** for **SB 600**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 600

An Act to repeal sections 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423 and 578.425, RSMo, and to enact in lieu thereof twelve new sections relating to dangerous felonies, with penalty provisions.

Senator Luetkemeyer moved that **SS** for **SB 600** be adopted.

President Kehoe assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 600, Page 1, Section A, Line 6, by inserting after all of said line the following:

“455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence, stalking, or sexual assault and may include such terms as the court reasonably deems necessary to ensure the petitioner’s safety, including but not limited to:

(1) Temporarily enjoining the respondent from committing or threatening to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of the petitioner;

(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or

(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Establish a visitation schedule that is in the best interests of the child;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. If the court issues, after a hearing for any full order of protection, an order of protection, the court shall also:

(1) Prohibit the respondent from knowingly possessing or purchasing any firearm while the order is in effect;

(2) Inform the respondent of such prohibition in writing and, if the respondent is present, orally; and

(3) Forward the order to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving an order under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

5. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

[5.] 6. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452 and shall consider all other factors in accordance with chapter 452.

[6.] 7. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further domestic violence. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452 whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

[7.] 8. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452.

[8.] 9. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452.

[9.] 10. (1) The court may, in order to ensure that a petitioner can maintain an existing wireless telephone number or numbers, issue an order, after notice and an opportunity to be heard, directing a

wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner, if the petitioner is not the wireless service accountholder.

(2) (a) The order transferring billing responsibility for and rights to the wireless telephone number or numbers to the petitioner shall list the name and billing telephone number of the accountholder, the name and contact information of the person to whom the telephone number or numbers will be transferred, and each telephone number to be transferred to that person. The court shall ensure that the contact information of the petitioner is not provided to the accountholder in proceedings held under this chapter.

(b) Upon issuance, a copy of the full order of protection shall be transmitted, either electronically or by certified mail, to the wireless service provider's registered agent listed with the secretary of state, or electronically to the email address provided by the wireless service provider. Such transmittal shall constitute adequate notice for the wireless service provider acting under this section and section 455.523.

(c) If the wireless service provider cannot operationally or technically effectuate the order due to certain circumstances, the wireless service provider shall notify the petitioner within three business days. Such circumstances shall include, but not be limited to, the following:

- a. The accountholder has already terminated the account;
- b. The differences in network technology prevent the functionality of a device on the network; or
- c. There are geographic or other limitations on network or service availability.

(3) (a) Upon transfer of billing responsibility for and rights to a wireless telephone number or numbers to the petitioner under this subsection by a wireless service provider, the petitioner shall assume all financial responsibility for the transferred wireless telephone number or numbers, monthly service costs, and costs for any mobile device associated with the wireless telephone number or numbers.

(b) This section shall not preclude a wireless service provider from applying any routine and customary requirements for account establishment to the petitioner as part of this transfer of billing responsibility for a wireless telephone number or numbers and any devices attached to that number or numbers including, but not limited to, identification, financial information, and customer preferences.

(4) This section shall not affect the ability of the court to apportion the assets and debts of the parties as provided for in law, or the ability to determine the temporary use, possession, and control of personal property.

(5) No cause of action shall lie against any wireless service provider, its officers, employees, or agents, for actions taken in accordance with the terms of a court order issued under this section.

(6) As used in this section and section 455.523, a "wireless service provider" means a provider of commercial mobile service under Section 332(d) of the Federal [Telecommunications] **Communications** Act of [1996] **1934** (47 U.S.C. Section [151, et seq.] **332**).

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence, stalking, and sexual assault may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from committing domestic violence or sexual assault, threatening to commit domestic violence or sexual assault, stalking, molesting, or disturbing the peace of

the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. If the court issues, after a hearing for any full order of protection, an order of protection, the court shall also:

(1) Prohibit the respondent from knowingly possessing or purchasing any firearm while the order is in effect;

(2) Inform the respondent of such prohibition in writing and, if the respondent is present, orally; and

(3) Forward the order to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving an order under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

3. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence;

(9) Order a wireless service provider, in accordance with the process, provisions, and requirements set out in subdivisions (1) to (6) of subsection [9] **10** of section 455.050, to transfer the billing responsibility for and rights to the wireless telephone number or numbers of any minor children in the petitioner's care

to the petitioner, if the petitioner is not the wireless service accountholder.”; and

Further amend said bill, page 17, section 562.014, line 10, by inserting after all of said line the following:

“565.076. 1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term “domestic victim” is defined under section 565.002, and:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;

(2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;

(3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;

(5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of domestic assault, of any assault offense under this chapter, or of any offense against a domestic victim committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which if committed in this state two or more times would be a violation of this section, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

3. Upon a conviction for the offense of domestic assault in the fourth degree, the court shall forward the record of conviction to the state highway patrol so that the state highway patrol can update the respondent’s record in the National Instant Criminal Background Check system (NICS). Upon receiving a record under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

565.227. 1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed

in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the second degree is a class E felony.

5. Upon a conviction for the offense of stalking in the second degree, the court shall forward the record of conviction to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving a record under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours." and

Further amend said bill, page 20, section 571.070, line 5, by inserting immediately after "incompetent" the following: ";

(3) Such person has been convicted of a misdemeanor offense of domestic violence under the laws of this state, or of a crime under the laws of any state or of the United States that, if committed in this state, would be a misdemeanor offense of domestic violence; or

(4) Such person is subject to an order of protection granted under sections 455.010 to 455.095 or sections 455.500 to 455.538 that was issued after a hearing of which the person had actual notice and at which the person had an opportunity to participate or subject to an equivalent order issued under the laws of another state or the United States"; and further amend line 11, by inserting after all of said line the following:

"4. As used in this section, the following terms mean:

(1) "Family or household member", the same meaning as such term is defined under section 455.010;

(2) "Misdemeanor offense of domestic violence":

(a) Domestic assault in the fourth degree under section 565.076;

(b) Stalking in the second degree under section 565.227; or

(c) Any misdemeanor offense committed by a family or household member of the victim that involves the use or attempted use of physical force or the threatened use of a deadly weapon."; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Emery raised a point of order that **SA 1** is out of order as it goes beyond the title and the context within the bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Luetkemeyer moved that **SS for SB 600** be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS for SB 600** was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, students from Southern Boone FFA.

Senator Emery introduced to the Senate, advisors Laura Cooley, Windsor, and Marshall Streit, Harrisonville; Kayla Kuhlman; Adam Warlen, Windsor; Brendon Engeman, Montrose; Kameran Collier, Adrian; Harley Sipple, Cass; Miles Bailey, Clinton; Kiley Foster, Butler; and Paige Keith, Knob Noster, representatives of Henry County FFA.

Senator Walsh introduced to the Senate, Teacher Kate Powers, chaperones Tahana Burton and Rhonda Taylor; and Cole Burton, Zion Norman, Ja'niya Goforth, Joshua Fitzgerald, and Dakota Adams, representatives of Cross Keys Middle School Technical Student Association.

Senator Eigel introduced to the Senate, director Andrew Stewart; and Dalton Bescher, Clayton Schroeder, Madison Bamvakais, Hali Patton, Elizabeth Cox, Lane Doyle, and Morgan Hancock, Lewis and Clark Career Center, St. Charles.

Senator Cunningham introduced to the Senate, advisor Tiffany Kauffman; Felicity, Felix and Promise Cantrell, Merisa Mason, Kamryn Hamlett, Andrew Simpson, and Kathy Simpson, Seymour; and Christine Gayer, Mansfield; representatives of Seymour FFA.

Senator Burlison introduced to the Senate, Katie Schmidt and Brooke Wiggins, Sparta FFA; and Amanda Gregg, Galena FFA.

On behalf of Senator Riddle, Senator Rowden introduced to the Senate, advisor Dean Reichel; and Heath Brandt, Dillon Cardwell, Dylan Nilges, Alexis Mears and Nichols Gordon, representatives of New Bloomfield FFA.

Senator White introduced to the Senate, advisors Angel Roller and Haley Broyles; and Morgan Bryan, Alex Denton, and Myla Hambre, representatives of Seneca FFA; and Ana Lozano, Olivia Wright, Isabella Ross, Allison Medlin and Kolbe Hicks, representatives of Carthage Skills USA.

On behalf of Senator Bernksoetter, the President introduced to the Senate, representatives of Nichols Career Center, Jefferson City.

Senator Hoskins introduced to the Senate, Lyndsi Phillips, Mallory Farina, Madison Rude and Jamie Bergsieker, representatives of Lex La-Ray Technical Center; and Director Amanda Finkeldei, and Connor Wolken, Emma Martin, Keirsten Helm and Kerri Adkins, representatives of Lexington FFA.

Senator Hoskins introduced to the Senate, Head Coach Alex Nichols, Assistant Coach David Macsicza, Athletic Trainer Ryan Novatny, Rafael Ortiz Ferreira and Ricardo Olaya, and members of the 2019 NAIA national champion Central Methodist University Men's Soccer Eagles.

Senator Schupp introduced to the Senate, Susan Adams, St. Peters; Haddi Malik, Ferguson; and Susan Lammert, Ladue.

Senator Riddle introduced to the Senate, Mayor Ayanna Shivers, Mexico.

The President introduced to the Senate, former State Senator Shalonn "Kiki" Curls, Kansas City.

Senator Williams introduced to the Senate, Julie Abernathy, Areanna Johnson, Robert McLaughlin, James Rogers, Jordan Williams, Germaine Brown, Danyelle Adams, Kerry Jackson, Marshaylin Boyd,

Colby Harris, and Ramieko Eddings, representatives of Youth Build, St. Louis.

Senator Libla introduced to the Senate, his grandchildren, Noah, Josiah, and Elizabeth Gholson, Ashland; and Noah, Josiah, and Elizabeth were made honorary pages.

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. Ravi Johar, Chesterfield.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

NINETEENTH DAY—THURSDAY, FEBRUARY 13, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater	SB 753-Brown
SB 730-Sater	SB 754-Luetkemeyer
SB 731-Sater	SB 755-Sater
SB 732-Emery	SB 756-Sifton
SB 733-Emery	SB 757-Onder
SB 734-Emery	SB 758-Onder
SB 735-Sifton	SB 759-Onder
SB 736-Sifton	SB 760-Burlison
SB 737-Sifton	SB 761-Burlison
SB 738-Onder	SB 762-Burlison
SB 739-Onder	SB 763-White
SB 740-Onder	SB 764-Onder
SB 741-Koenig	SB 765-Onder
SB 742-Koenig	SB 766-Onder
SB 743-Eigel	SB 767-Burlison
SB 744-Eigel	SB 768-Onder
SB 745-Burlison	SB 769-Burlison
SB 746-Burlison	SB 770-Hough
SB 747-Burlison	SB 771-Wallingford
SB 748-White	SB 772-Romine
SB 749-White	SB 773-Riddle
SB 750-White	SB 774-Brown
SB 751-Hough	SB 775-Schatz
SB 752-Brown	SB 776-Cunningham

SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
SB 780-Hough	SB 824-Wallingford
SB 781-Brown	SB 825-Libla
SB 782-Brown	SB 826-White
SB 783-Brown	SB 827-White
SB 784-Wallingford	SB 828-Hough
SB 785-Koenig	SB 829-Hough
SB 786-Romine	SB 830-Cunningham
SB 787-Romine	SB 831-Cunningham
SB 788-Schupp	SB 832-Cunningham
SB 789-Schupp	SB 833-Luetkemeyer
SB 790-Schupp	SB 834-Brown
SB 791-Eigel	SB 835-Brown
SB 792-Eigel	SB 836-Onder
SB 793-Koenig	SB 837-White
SB 794-Eigel	SB 838-White
SB 795-Hough	SB 839-Wallingford
SRB 796-Hough	SB 840-Arthur
SB 797-Wieland	SB 841-Arthur
SB 798-Hoskins	SB 842-Emery
SB 799-Schupp	SB 843-Burlison
SB 800-Schupp	SB 844-Burlison
SB 801-Koenig	SB 845-Burlison
SB 802-Hegeman	SB 846-Sater
SB 803-Crawford	SB 847-Eigel
SB 804-Cunningham	SB 848-Eigel
SB 805-Hoskins	SB 849-Eigel
SB 806-Koenig	SB 850-O'Laughlin
SB 807-Crawford	SB 851-O'Laughlin
SB 808-Crawford	SB 852-Hegeman
SB 809-Brown	SB 853-Crawford
SB 810-Luetkemeyer	SB 854-Crawford
SB 811-Luetkemeyer	SB 855-Wieland
SB 812-Sater	SB 856-Wieland
SB 813-Sater	SB 857-Luetkemeyer
SB 814-Nasheed	SB 858-Hegeman
SB 815-Eigel	SB 859-Hegeman
SB 816-Crawford	SB 860-Hegeman
SB 817-Crawford	SB 861-White
SB 818-Wallingford	SB 862-White
SB 819-Wallingford	SB 863-Brown
SB 820-Burlison	SB 864-Brown

SB 865-Brown	SB 910-Wallingford
SB 866-Brown	SB 911-White
SB 867-Brown	SB 912-Emery
SB 868-Brown	SB 913-Emery
SB 869-Hough	SB 914-Arthur
SB 870-Hough	SB 915-Crawford
SB 871-Nasheed	SB 916-Crawford
SB 872-Crawford	SB 917-Onder
SB 873-Crawford	SB 918-Onder
SB 874-Sater	SB 919-Onder
SB 875-Emery	SB 920-Wieland
SB 876-Libla	SB 921-Wallingford
SB 877-Burlison	SB 922-Luetkemeyer
SB 878-Burlison	SB 923-Sifton
SB 879-Burlison	SB 924-Riddle
SB 880-Rowden	SB 925-Riddle
SB 881-Wieland	SB 926-Walsh
SB 882-Wieland	SB 927-Schatz
SB 883-Hoskins	SB 928-Brown
SB 884-Hoskins	SB 929-Emery
SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder
SB 896-Eigel	SB 940-Schupp
SB 897-Cierpiot	SB 941-Sater
SB 898-Cunningham	SB 942-Riddle
SB 899-Brown	SB 943-Crawford
SB 900-Sifton	SB 944-Williams
SB 901-Wallingford	SB 945-Williams
SB 902-Wallingford	SB 946-Wieland
SB 903-Wieland	SB 947-Wieland
SB 904-Wieland	SB 948-Wallingford
SB 905-Eigel	SB 949-Riddle
SB 906-Libla	SB 950-White
SB 907-Arthur	SB 951-Schupp
SB 908-Hough	SB 952-Williams
SB 909-Wallingford	SB 953-Williams

SB 954-May	SB 982-Cierpiot
SB 955-Walsh	SB 983-Brown
SB 956-Onder	SB 984-Crawford
SB 957-Sater	SB 985-May
SB 958-Koenig	SB 986-May
SB 959-Sifton	SB 987-Williams
SB 960-Emery	SB 988-Emery
SB 961-Emery	SB 989-May
SB 962-Arthur	SB 990-May
SB 963-O'Laughlin	SB 991-Walsh
SB 964-O'Laughlin	SB 992-Burlison
SB 965-O'Laughlin	SB 993-Burlison
SB 966-O'Laughlin	SB 994-Bernskoetter
SB 967-Cierpiot	SB 995-Cunningham
SB 968-Cierpiot	SB 996-Onder
SB 969-Riddle	SB 997-Bernskoetter
SB 970-Rowden	SB 998-Sifton
SB 971-Sater	SB 999-Walsh
SB 972-Wieland	SB 1000-Onder
SB 973-Wallingford	SJR 55-Eigel
SB 974-Wallingford	SJR 56-Burlison
SB 975-Wallingford	SJR 57-Onder
SB 976-Sater	SJR 58-Eigel
SB 977-Wallingford	SJR 59-Eigel
SB 978-Wallingford	SJR 60-Luetkemeyer
SB 979-Wallingford	SJR 61-Nasheed
SB 980-Nasheed	SJR 62-Hoskins
SB 981-Cierpiot	

HOUSE BILLS ON SECOND READING

HCS for HB 2033	HB 1963-Fitzwater
HB 1450-Schroer	HB 1296-Dinkins
HCS for HBs 1511 & 1452	HCS for HB 1521
HCS for HB 2046	HB 1934-Wiemann
HB 1467-Pike	

THIRD READING OF SENATE BILLS

SCS for SB 609-Sater

SENATE BILLS FOR PERFECTION

SB 623-Libla	SB 592-White
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SB 525-Emery, with SCS
SB 554-Riddle
SB 649-Eigel

SB 581-Cierpiot, with SCS
SB 662-Bernskoetter, with SCS
SBs 538, 562 & 601-Libla, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla, with SA 1 (pending)
SB 552-Wieland
SB 553-Wieland, with SA 1 (pending)
SB 557-Schatz, with SCS

SB 575-Eigel, with SS & SA 1 (pending)
SB 580-Cierpiot, with SS, SA 2 & point
of order (pending)
SB 591-White, with SCS & SS for SCS
(pending)
SJR 32-Sater

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Journal of the Senate

SECOND REGULAR SESSION

NINETEENTH DAY—THURSDAY, FEBRUARY 13, 2020

The Senate met pursuant to adjournment.

Senator Hoskins in the Chair.

Reverend Carl Gauck offered the following prayer:

“..the precepts of the Lord are right. Rejoicing the heart; the commandment of the Lord is clear, enlightening the eyes...” (Psalm 19:8)

Wondrous God, be with us as we finish our work this morning and be with us as we travel back to loved ones. As we think upon Your word let us find ways today and this weekend to rejoice in what You are teaching us and live out what Your commandments layout before us so we may incorporate the values and teaching that You provide us. And may we be found in Your house of prayer and rejoice in the blessing we receive. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1211, regarding Kenneth DeWayne Loomer, Nevada, which was adopted.

Senator Cierpiot offered Senate Resolution No. 1212, regarding Elizabeth Ravasini, Lee's Summit, which was adopted.

Senator Sater offered Senate Resolution No. 1213, regarding Cadet Captain Taran Fletcher, which was adopted.

Senator Sater offered Senate Resolution No. 1214, regarding Roger Ellis, which was adopted.

Senator Sater offered Senate Resolution No. 1215, regarding Cadet Second Lieutenant Zander Sprouse, which was adopted.

Senator Sater offered Senate Resolution No. 1216, regarding the Fiftieth Wedding Anniversary of Kenny and Janet Little, Hollister, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 1001—By Brown.

An Act to repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to salvage vehicles.

SB 1002—By Rizzo.

An Act to repeal sections 311.680 and 311.868, RSMo, and to enact in lieu thereof one new section relating to penalties for manufacturers and distillers of intoxicating liquor, with penalty provisions.

SB 1003—By White.

An Act to repeal section 144.805, RSMo, and to enact in lieu thereof one new section relating to aviation jet fuel.

SJR 63—By Rizzo.

Joint Resolution submitting to the qualified voters of Missouri an amendment to Article X of the Constitution of Missouri, by adopting one new section relating to taxation of real property.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 600**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 30**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 32**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 38**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

President Pro Tem Schatz assumed the Chair.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 653**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 555**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 526**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 618**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 619**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 689**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 670**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 617**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 523**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 40**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 648**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 664**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 587**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 558**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 529**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 531**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cierpiot, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 594**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 636**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 644**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator White, Chairman of the Committee on Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 718**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 656**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 673** and **SB 560**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 677**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 569**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hoskins assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **SS** for **SB 600** to the Committee on Fiscal Oversight.

THIRD READING OF SENATE BILLS

SCS for **SB 609**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 609

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to opioid addiction treatment.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS** for **SB 609** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hough	Libla	Luetkemeyer	May	Nasheed	O’Laughlin
Onder	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senators

Eigel	Hoskins	Koenig—3
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Absent—Senator Burlison—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Cierpiot moved that **SB 580**, with **SS**, **SA 2** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Hough moved that the above amendment be withdrawn, rendering the point of order moot.

Senator Cierpiot moved that **SS** for **SB 580**, as amended, be adopted, which motion prevailed.

On motion of Senator Cierpiot, **SS** for **SB 580**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1700**, entitled:

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to transient guest taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1526**, entitled:

An Act to repeal sections 109.400 and 109.410, RSMo, and to enact in lieu thereof one new section relating to the Missouri state archives-St. Louis trust fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1330**, entitled:

An Act to authorize the conveyance of certain state property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1435**, entitled:

An Act to repeal sections 58.095, 58.451, 58.720, 192.067, 193.145, 193.265, 194.119, and 210.195, RSMo, and to enact in lieu thereof ten new sections relating to the deceased, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 729—Transportation, Infrastructure and Public Safety.

SB 730—General Laws.

SB 731—Local Government and Elections.

SB 732—Economic Development.

SB 733—Commerce, Consumer Protection, Energy and the Environment.

SB 734—Education.

SB 735—Rules, Joint Rules, Resolutions and Ethics.

- SB 736**—Government Reform.
- SB 737**—Judiciary and Civil and Criminal Jurisprudence.
- SB 738**—Small Business and Industry.
- SB 739**—Government Reform.
- SB 740**—Economic Development.
- SB 741**—Ways and Means.
- SB 742**—Ways and Means.
- SB 743**—Transportation, Infrastructure and Public Safety.
- SB 744**—General Laws.
- SB 745**—Government Reform.
- SB 746**—Government Reform.
- SB 747**—Local Government and Elections.
- SB 748**—Transportation, Infrastructure and Public Safety.
- SB 749**—Insurance and Banking.
- SB 750**—Veterans and Military Affairs.
- SB 751**—Education.
- SB 752**—Government Reform.
- SB 753**—Judiciary and Civil and Criminal Jurisprudence.
- SB 754**—Appropriations.
- SB 755**—Health and Pensions.
- SB 756**—Professional Registration.
- SB 757**—Commerce, Consumer Protection, Energy and the Environment.
- SB 758**—Judiciary and Civil and Criminal Jurisprudence.
- SB 759**—Judiciary and Civil and Criminal Jurisprudence.
- SB 760**—Government Reform.
- SB 761**—Education.
- SB 762**—Government Reform.
- SB 763**—Judiciary and Civil and Criminal Jurisprudence.
- SB 764**—Health and Pensions.
- SB 765**—Judiciary and Civil and Criminal Jurisprudence.
- SB 766**—Transportation, Infrastructure and Public Safety.
- SB 767**—Insurance and Banking.

- SB 768**—Health and Pensions.
- SB 769**—Insurance and Banking.
- SB 770**—Local Government and Elections.
- SB 771**—Commerce, Consumer Protection, Energy and the Environment.
- SB 772**—Judiciary and Civil and Criminal Jurisprudence.
- SB 773**—Commerce, Consumer Protection, Energy and the Environment.
- SB 774**—Transportation, Infrastructure and Public Safety.
- SB 775**—Local Government and Elections.
- SB 776**—Judiciary and Civil and Criminal Jurisprudence.
- SB 777**—Transportation, Infrastructure and Public Safety.
- SB 778**—Judiciary and Civil and Criminal Jurisprudence.
- SB 779**—Insurance and Banking.
- SB 780**—Transportation, Infrastructure and Public Safety.
- SB 781**—Transportation, Infrastructure and Public Safety.
- SB 782**—Transportation, Infrastructure and Public Safety.
- SB 783**—Government Reform.
- SB 784**—Veterans and Military Affairs.
- SB 785**—Ways and Means.
- SB 786**—Education.
- SB 787**—Education.
- SB 788**—Health and Pensions.
- SB 789**—Rules, Joint Rules, Resolutions and Ethics.
- SB 790**—Health and Pensions.
- SB 791**—Local Government and Elections.
- SB 792**—Seniors, Families and Children.
- SB 793**—Government Reform.
- SB 794**—Transportation, Infrastructure and Public Safety.
- SB 795**—Rules, Joint Rules, Resolutions and Ethics.
- SRB 796**—Government Reform.
- SB 797**—Insurance and Banking.
- SB 798**—Appropriations.
- SB 799**—Transportation, Infrastructure and Public Safety.

SB 800—Ways and Means.

SB 801—Ways and Means.

SB 802—Education.

SB 803—Local Government and Elections.

SB 804—Insurance and Banking.

SB 805—Small Business and Industry.

SB 806—Professional Registration.

SB 807—Commerce, Consumer Protection, Energy and the Environment.

SB 808—Government Reform.

SB 809—Transportation, Infrastructure and Public Safety.

SB 810—Transportation, Infrastructure and Public Safety.

SB 811—Education.

SB 812—Seniors, Families and Children.

SB 813—Judiciary and Civil and Criminal Jurisprudence.

SB 814—Seniors, Families and Children.

SB 815—Local Government and Elections.

SB 816—Agriculture, Food Production and Outdoor Resources.

SB 817—Commerce, Consumer Protection, Energy and the Environment.

SB 818—Local Government and Elections.

SB 819—Economic Development.

SB 820—Transportation, Infrastructure and Public Safety.

SB 821—Judiciary and Civil and Criminal Jurisprudence.

SB 822—Commerce, Consumer Protection, Energy and the Environment.

SB 823—Seniors, Families and Children.

SB 824—Judiciary and Civil and Criminal Jurisprudence.

SB 825—Commerce, Consumer Protection, Energy and the Environment.

SB 826—Seniors, Families and Children.

SB 827—Commerce, Consumer Protection, Energy and the Environment.

SB 828—Commerce, Consumer Protection, Energy and the Environment.

SB 829—Seniors, Families and Children.

SB 830—Education.

SB 831—Government Reform.

SB 832—Commerce, Consumer Protection, Energy and the Environment.

INTRODUCTIONS OF GUESTS

Senator Rizzo introduced to the Senate, the Physician of the Day, Dr. Donald Potts, Independence.

Senator Schatz introduced to the Senate, Gracie Bailey, Eureka; and Gracie was made an honorary page.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, February 17, 2020.

SENATE CALENDAR

TWENTIETH DAY—MONDAY, FEBRUARY 17, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 833-Luetkemeyer	SB 859-Hegeman
SB 834-Brown	SB 860-Hegeman
SB 835-Brown	SB 861-White
SB 836-Onder	SB 862-White
SB 837-White	SB 863-Brown
SB 838-White	SB 864-Brown
SB 839-Wallingford	SB 865-Brown
SB 840-Arthur	SB 866-Brown
SB 841-Arthur	SB 867-Brown
SB 842-Emery	SB 868-Brown
SB 843-Burlison	SB 869-Hough
SB 844-Burlison	SB 870-Hough
SB 845-Burlison	SB 871-Nasheed
SB 846-Sater	SB 872-Crawford
SB 847-Eigel	SB 873-Crawford
SB 848-Eigel	SB 874-Sater
SB 849-Eigel	SB 875-Emery
SB 850-O'Laughlin	SB 876-Libla
SB 851-O'Laughlin	SB 877-Burlison
SB 852-Hegeman	SB 878-Burlison
SB 853-Crawford	SB 879-Burlison
SB 854-Crawford	SB 880-Rowden
SB 855-Wieland	SB 881-Wieland
SB 856-Wieland	SB 882-Wieland
SB 857-Luetkemeyer	SB 883-Hoskins
SB 858-Hegeman	SB 884-Hoskins

SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder
SB 896-Eigel	SB 940-Schupp
SB 897-Cierpiot	SB 941-Sater
SB 898-Cunningham	SB 942-Riddle
SB 899-Brown	SB 943-Crawford
SB 900-Sifton	SB 944-Williams
SB 901-Wallingford	SB 945-Williams
SB 902-Wallingford	SB 946-Wieland
SB 903-Wieland	SB 947-Wieland
SB 904-Wieland	SB 948-Wallingford
SB 905-Eigel	SB 949-Riddle
SB 906-Libla	SB 950-White
SB 907-Arthur	SB 951-Schupp
SB 908-Hough	SB 952-Williams
SB 909-Wallingford	SB 953-Williams
SB 910-Wallingford	SB 954-May
SB 911-White	SB 955-Walsh
SB 912-Emery	SB 956-Onder
SB 913-Emery	SB 957-Sater
SB 914-Arthur	SB 958-Koenig
SB 915-Crawford	SB 959-Sifton
SB 916-Crawford	SB 960-Emery
SB 917-Onder	SB 961-Emery
SB 918-Onder	SB 962-Arthur
SB 919-Onder	SB 963-O'Laughlin
SB 920-Wieland	SB 964-O'Laughlin
SB 921-Wallingford	SB 965-O'Laughlin
SB 922-Luetkemeyer	SB 966-O'Laughlin
SB 923-Sifton	SB 967-Cierpiot
SB 924-Riddle	SB 968-Cierpiot
SB 925-Riddle	SB 969-Riddle
SB 926-Walsh	SB 970-Rowden
SB 927-Schatz	SB 971-Sater
SB 928-Brown	SB 972-Wieland
SB 929-Emery	SB 973-Wallingford

SB 974-Wallingford
SB 975-Wallingford
SB 976-Sater
SB 977-Wallingford
SB 978-Wallingford
SB 979-Wallingford
SB 980-Nasheed
SB 981-Cierpiot
SB 982-Cierpiot
SB 983-Brown
SB 984-Crawford
SB 985-May
SB 986-May
SB 987-Williams
SB 988-Emery
SB 989-May
SB 990-May
SB 991-Walsh
SB 992-Burlison
SB 993-Burlison

SB 994-Bernskoetter
SB 995-Cunningham
SB 996-Onder
SB 997-Bernskoetter
SB 998-Sifton
SB 999-Walsh
SB 1000-Onder
SB 1001-Brown
SB 1002-Rizzo
SB 1003-White
SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel
SJR 59-Eigel
SJR 60-Luetkemeyer
SJR 61-Nasheed
SJR 62-Hoskins
SJR 63-Rizzo

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452
HCS for HB 2046
HB 1467-Pike
HB 1963-Fitzwater
HB 1296-Dinkins

HCS for HB 1521
HB 1934-Wiemann
HB 1700-Fishel
HCS for HB 1526
HB 1330-Veit
HCS for HB 1435

THIRD READING OF SENATE BILLS

SS for SB 600-Luetkemeyer
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 623-Libla
2. SB 592-White
3. SB 525-Emery, with SCS
4. SB 554-Riddle
5. SB 649-Eigel

6. SB 581-Cierpiot, with SCS
7. SB 662-Bernskoetter, with SCS
8. SBs 538, 562 & 601-Libla, with SCS
9. SB 653-Crawford, with SCS
10. SB 555-Riddle

- | | |
|---------------------------------|-----------------------------------|
| 11. SB 526-Emery, with SCS | 22. SB 529-Cunningham, with SCS |
| 12. SB 618-Wallingford | 23. SB 631-Hegeman, with SCS |
| 13. SB 689-Emery, with SCS | 24. SB 531-Wallingford |
| 14. SB 670-Hough, with SCS | 25. SB 594-Hough, with SCS |
| 15. SB 617-Cunningham, with SCS | 26. SB 636-Wieland |
| 16. SB 523-Sater, with SCS | 27. SB 644-Hoskins |
| 17. SJR 40-Koenig | 28. SB 718-White, with SCS |
| 18. SB 648-Koenig, with SCS | 29. SBs 673 & 560-Brown, with SCS |
| 19. SB 664-Burlison | 30. SB 677-Luetkemeyer |
| 20. SB 587-Bernskoetter | 31. SB 569-Koenig, with SCS |
| 21. SB 558-Schatz, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|--|
| SB 524-Sater | SB 557-Schatz, with SCS |
| SB 530-Cunningham, with SCS | SB 575-Eigel, with SS & SA 1 (pending) |
| SB 539-Libla, with SA 1 (pending) | SB 591-White, with SCS & SS for SCS |
| SB 552-Wieland | (pending) |
| SB 553-Wieland, with SA 1 (pending) | SJR 32-Sater |

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 30-Schupp
SCR 32-Bernskoetter

SCR 38-O'Laughlin

Journal of the Senate

SECOND REGULAR SESSION

TWENTIETH DAY—MONDAY, FEBRUARY 17, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

Whenever you do a thing, act as if all the world were watching. (Thomas Jefferson)

Gracious God, we are thankful for this day and our arriving here safely to undertake the responsibilities that lay hold of us and we seek success in what we are about. Help us all understand that we need to do all things openly and easily seen and understood, for from it comes the opportunity for honest discussion and ways to improve bills so they may give way to produce the best that is possible from which all people benefit. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 13, 2020 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O'Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 1217, regarding the Kansas City Chiefs, which was adopted.

Senator Crawford offered Senate Resolution No. 1218, regarding the Downtown and Drake Harbor Recreation Area Trails, Warsaw, which was adopted.

Senator Koenig offered Senate Resolution No. 1219, regarding Sergeant Darwyn “Tony” Snyder, St. Louis, which was adopted.

Senator Libla offered Senate Resolution No. 1220, regarding Rick and Cody Branch, which was adopted.

Senator Sifton offered Senate Resolution No. 1221, regarding Nathan Williams, which was adopted.

Senator Koenig offered Senate Resolution No. 1222, regarding Robert Rehmeier, Ballwin, which was adopted.

Senator Koenig offered Senate Resolution No. 1223, regarding Eli Burrans, Fenton, which was adopted.

Senator Riddle offered Senate Resolution No. 1224, regarding Mark A. Cross, which was adopted.

CONCURRENT RESOLUTIONS

Senator Burlison offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 43

Relating to the appointment and duties of commissioners to attend an Article V convention.

Whereas, it is necessary for each state to provide for the selection of commissioners to attend any Article V Convention:

Now Therefore Be It Resolved that the members of the Missouri Senate, One-Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby adopt the following procedures for the selection of commissioners to attend an Article V Convention:

Section 1. Selection of Commissioners

When a convention is called to propose amendments to the United States Constitution pursuant to Article V of the United States Constitution, the selection and participation of commissioners from Missouri to such convention shall be governed by this Resolution.

Section 2. Number, Eligibility, and Selection of Commissioners

A. Missouri shall have a number of commissioners equal to the number of congressional districts in the state at the time with one commissioner from each congressional district and a number of alternate commissioners equal to the number of congressional districts in the state at the time with one alternate commissioner from each congressional district.

B. Commissioners and alternates shall be citizens of the State of Missouri and shall otherwise meet the same qualifications necessary to hold office in the Missouri House of Representatives. Commissioners and alternates may include persons holding public office, subject to further limits described below, except that no person will be eligible who is:

- (1) A member of the United States House of Representatives or Senate;
- (2) An employee of the United States;
- (3) An employee or other representative of a contractor with the United States; or
- (4) An elected official holding a statewide office.

Commissioners and alternates are also subject to those existing ethics rules which apply to members of the General Assembly.

C. The House of Representatives and Senate shall select, by adoption of a concurrent resolution, the commissioners and alternates who meet the eligibility requirements described herein and who are submitted to the House of Representatives and the Senate by the Joint Legislative Committee as provided in Section 4 of this resolution. Of the commissioners, at least one-third shall not be sitting members of the General Assembly. Of the alternate commissioners, at least one-third shall not be sitting members of the General Assembly.

D. A majority of the commissioners shall constitute a quorum for all decisions made by the delegation, and no commissioner may give

his or her vote by proxy or otherwise to any other commissioner. The commissioners shall select a chairperson to administer the work of the commissioners.

Section 3. Authority of Commissioners

A. Each commissioner and alternate shall, by oath or affirmation as a condition of participating in the convention, agree to faithfully and impartially discharge all the duties incumbent upon a commissioner, including the duty to abide by instructions established by concurrent resolution of the General Assembly for participation in the convention and the duty to act only within the scope of the General Assembly's application for the convention, if Missouri applied for the convention in which the commissioners are participating. Each commissioner and alternate shall further agree to immediately notify the Joint Legislative Committee if he or she believes that any Missouri commissioner or alternate has violated his or her oath or instructions while participating in the convention.

B. Prior to the Article V Convention, the General Assembly shall consider "Recommended Commissioner Instructions" presented to it by the Joint Legislative Committee as discussed further in Section 4 of this resolution, and shall by concurrent resolution provide duly approved instructions to the commissioners and alternates regarding the scope of matters they may consider and vote on at convention, including rules of procedure and proposed amendments. Such instructions may be changed by the General Assembly prior to or during the convention. These instructions shall include, but shall not be limited to:

1. An instruction that the commissioners shall not support any voting rule other than the rule whereby each state exercises one vote; and
2. An instruction that on all voting matters at the convention, the decision of a simple majority of the Missouri commissioners shall constitute a single vote for the State of Missouri.

C. Any vote cast by a commissioner or alternate at an Article V convention that is outside the scope of any of the following is an unauthorized vote, and is therefore void:

1. The instructions established by any concurrent resolution adopted under this Resolution or later amending resolutions.
2. Any limits identified in the Missouri General Assembly's application for the convention.

Section 4. Authorization for and Role of the Joint Legislative Committee

A. After or near the time an Article V convention is called, a Joint Legislative Committee shall be duly authorized by the General Assembly for the purposes described in this section. The Joint Legislative Committee shall be comprised of five members of the Senate appointed by the President Pro Tempore of the Senate, with three members from the majority party and two members from the minority party, and five members of the House appointed by the Speaker of the House of Representatives, with three members from the majority party and two members from the minority party, and shall have the initial task of recommending eligible commissioners to the House of Representatives and the Senate for consideration of appointment as commissioners. The Joint Legislative Committee shall submit at least three persons from each congressional district who are eligible, as provided in this resolution, to serve as a commissioner and at least three different persons from each congressional district who are eligible, as provided in this resolution, to serve as an alternate commissioner. The House of Representatives and the Senate shall select a commissioner and alternate commissioner from each congressional district from the names submitted by the Joint Legislative Committee. The Joint Legislative Committee shall also be charged with presenting "Recommended Commissioner Instructions" to the full General Assembly for consideration leading to a concurrent resolution as discussed in Section 3(B) of this resolution. Such Commissioner Instructions will define the scope of matters the Commissioners may consider and vote on at the Article V Convention, including rules of procedure and proposed amendments as discussed more fully in Section 3 of this resolution. All recommendations that secure a simple majority vote of the members present will be deemed approved "Recommended Commissioner Instructions" to be submitted to the full General Assembly for its consideration.

B. After commissioners have been selected, the Joint Legislative Committee may recall any commissioner and revoke such commissioner's authority. However, the Joint Legislative Committee may only recall and revoke the authority in the event the commissioner casts or attempts to cast an unauthorized vote as described in this Resolution. The Joint Legislative Committee shall also appoint one of the selected alternates to take the place of a commissioner so recalled. The Joint Legislative Committee shall promptly investigate any notice that a commissioner or alternate has cast an unauthorized vote or otherwise exceeded the scope of the General Assembly's application for the convention or the General Assembly's instructions to the commissioners. The Joint Legislative Committee shall act to ensure that the commissioners remain faithful to the terms of the convention application and the General Assembly's instructions. Before or during the Article V Convention, the Joint Legislative Committee may advise the commissioners on questions which arise regarding the scope of the convention and the legislative instructions to commissioners.

C. By concurrent resolution, the General Assembly may change or supersede any action of the Joint Legislative Committee or recall commissioners or alternates to the convention, or appoint new commissioners or alternates.

D. The Joint Legislative Committee shall be authorized to conduct its business via telephone or by electronic communication.

Section 5. Conflicts with Convention Rules or Procedures

Should the provisions of this Resolution conflict with the rules or procedures established by the Article V convention, the General Assembly may by concurrent resolution conform these provisions to such rules or procedures; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1004—By Cierpiot.

An Act to repeal section 135.481, RSMo, and to enact in lieu thereof one new section relating to a tax credit for rehabilitation or construction of certain residences.

SB 1005—By Schupp.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for the care of certain dependents.

SB 1006—By Hoksins.

An Act to repeal section 326.280, RSMo, and to enact in lieu thereof one new section relating to licensing of accountants.

SB 1007—By Burlison.

An Act to repeal sections 301.700, 301.703, 301.707, 301.709, and 301.711, RSMo, and to enact in lieu thereof three new sections relating to all-terrain vehicles.

SB 1008—By Burlison.

An Act to repeal section 442.404, RSMo, and to enact in lieu thereof one new section relating to restrictive covenants.

SB 1009—By Burlison.

An Act to amend chapter 393, RSMo, by adding thereto seven new sections relating to the certification of home inspectors, with penalty provisions and an effective date.

SB 1010—By Sater.

An Act to repeal sections 190.606 and 190.612, RSMo, and to enact in lieu thereof two new sections relating to outside the hospital do-not-resuscitate orders.

SB 1011—By Williams.

An Act to repeal section 575.080, RSMo, and to enact in lieu thereof one new section relating to the offense of making a false report, with penalty provisions.

SB 1012—By Wieland.

An Act to repeal sections 49.600 and 49.605, RSMo, and to enact in lieu thereof two new sections relating to the national flood insurance program.

SB 1013—By Wieland.

An Act to repeal section 304.153, RSMo, and to enact in lieu thereof two new sections relating to motor clubs, with existing penalty provisions.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 580**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SS** for **SB 580** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 530**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 530**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 530

An Act to repeal sections 311.660, 311.710, 311.720, 313.004, 313.255, 572.010, and 572.100, RSMo, and to enact in lieu thereof seven new sections relating to illegal gambling, with existing penalty provisions and an emergency clause.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 530** be adopted.

Senator Cunningham offered **SS** for **SCS** for **SB 530**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 530

An Act to repeal sections 43.380, 311.660, 311.680, 311.710, 311.720, 313.004, 313.255, 572.010, 572.015, and 572.100, RSMo, and to enact in lieu thereof ten new sections relating to illegal gambling, with existing penalty provisions and an emergency clause.

Senator Cunningham moved that **SS** for **SCS** for **SB 530** be adopted.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 530, Page 1, In the Title, Line 5, by striking “illegal gambling” and inserting in lieu thereof the following: “gaming”; and

Further amend said bill, page 18, section 313.004, line 19 of said page, by inserting immediately after said line the following:

“313.230. The commission shall:

(1) Issue rules and regulations concerning the operation of the Missouri state lottery. The rules and regulations shall include, but shall not be limited to, the following:

(a) The type of lottery to be conducted, [except no lottery may use any coin- or token-operated amusement device and no lottery game shall be based in any form on the outcome of sporting events. However, it shall be legal to] **including the use of clerk- or player-activated terminals, which are coin- or currency-operated, lottery games based on the outcome of a sporting event, and to dispense lottery tickets. Lottery games based on the outcome of a sporting event shall be limited to “parlay games”, which term shall mean a game in which two or more teams are involved in determining the winning outcome of the game;**

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares;

(e) The manner of payment of prizes to the holders of winning tickets or shares;

(f) The frequency of the drawings or selections of winning tickets or shares, without limitation;

(g) The types or numbers of locations at which tickets or shares may be sold and the method to be used in selling tickets or shares;

(h) The method to be used in selling tickets or shares;

(i) The licensing of lottery game retailers to sell tickets or shares;

(j) The manner and amount of compensation, including commissions, ticket discounts, incentives and any other remuneration, to be paid to or retained by lottery game retailers;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among:

a. The payment of prizes to the holders of winning tickets or shares;

b. The payment of costs incurred in the operation and administration of the lottery, including the expenses of the commission and the costs resulting from any contract or contracts entered into for promotional, advertising or operational services or for the purchase or lease of lottery equipment and materials;

c. For the repayment to the general revenue fund of any amount appropriated for initial start-up of the lottery; and

d. For timely transfer to the state lottery fund as provided by law;

(l) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares. The commission may disburse money for payment of lottery prizes;

(2) Amend, repeal, or supplement any such rules and regulations from time to time as it deems necessary or desirable;

(3) Advise and make recommendations to the director regarding the operation and administration of the lottery;

(4) Report quarterly to the governor and the general assembly the total lottery revenues, prize disbursements and other expenses for the preceding quarter, and to make an annual report, which shall

include a full and complete statement of lottery revenues, prize disbursements and other expenses, to the governor and the general assembly, and including such recommendations for changes in sections 313.200 to 313.350 as it deems necessary or desirable;

(5) Report to the governor and general assembly any matters which shall require immediate changes in the laws of this state in order to prevent abuses and evasions of sections 313.200 to 313.350 or rules and regulations promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery;

(6) Carry on a continuous study and investigation of the lottery throughout the state and to make a continuous study and investigation of the operation and the administration of similar laws which may be in effect in other states or countries, any literature on the subject which from time to time may be published or available, any federal laws which may affect the operation of the lottery, and the reaction of Missouri citizens to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of sections 313.200 to 313.350;

(7) Ensure that all employees of the state lottery commission hired after July 12, 1990, shall not be related to any member of the state lottery commission or any employee of the state lottery commission within the third degree of consanguinity or affinity.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted.

Senator Crawford assumed the Chair.

At the request of Senator Cunningham, **SB 530**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1933**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto nine new sections relating to the Missouri local government expenditure database.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1317**, entitled:

An Act to repeal section 162.720, RSMo, and to enact in lieu thereof one new section relating to gifted children.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1693**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to the narcotics control act, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, his parents, Rick and Julie Rowden, and his children, Willem and Adele, Columbia.

Senator Bernskoetter introduced to the Senate, Steven Henness, Joyce Taylor, and Samantha Brandeberry; and Hannah Adams, Lawrence County; Kate Burch, Vernon County; Hattie Berke, Adair County; Lauren Crutsinger, Cape Girardeau County; Seth Hansen, Livingston County; Beyonce Hightower, Scott County; Maya Huffman, Greene County; Connor Lincoln, Bolinger County; Alaina Link, Randolph County; Carlee Long, Monroe County; Anna Loucks, St. Louis County; Evan Meyer, Pike County; Evan Miller, Cass County; Bailey Richardson, Polk County; and Matthew Vaughn, Boone County; representatives of the 4-H Legislative Academy.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIRST DAY—TUESDAY, FEBRUARY 18, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 833-Luetkemeyer
 SB 834-Brown
 SB 835-Brown
 SB 836-Onder
 SB 837-White
 SB 838-White
 SB 839-Wallingford
 SB 840-Arthur
 SB 841-Arthur
 SB 842-Emery
 SB 843-Burlison

SB 844-Burlison
 SB 845-Burlison
 SB 846-Sater
 SB 847-Eigel
 SB 848-Eigel
 SB 849-Eigel
 SB 850-O'Laughlin
 SB 851-O'Laughlin
 SB 852-Hegeman
 SB 853-Crawford
 SB 854-Crawford

SB 855-Wieland	SB 900-Sifton
SB 856-Wieland	SB 901-Wallingford
SB 857-Luetkemeyer	SB 902-Wallingford
SB 858-Hegeman	SB 903-Wieland
SB 859-Hegeman	SB 904-Wieland
SB 860-Hegeman	SB 905-Eigel
SB 861-White	SB 906-Libla
SB 862-White	SB 907-Arthur
SB 863-Brown	SB 908-Hough
SB 864-Brown	SB 909-Wallingford
SB 865-Brown	SB 910-Wallingford
SB 866-Brown	SB 911-White
SB 867-Brown	SB 912-Emery
SB 868-Brown	SB 913-Emery
SB 869-Hough	SB 914-Arthur
SB 870-Hough	SB 915-Crawford
SB 871-Nasheed	SB 916-Crawford
SB 872-Crawford	SB 917-Onder
SB 873-Crawford	SB 918-Onder
SB 874-Sater	SB 919-Onder
SB 875-Emery	SB 920-Wieland
SB 876-Libla	SB 921-Wallingford
SB 877-Burlison	SB 922-Luetkemeyer
SB 878-Burlison	SB 923-Sifton
SB 879-Burlison	SB 924-Riddle
SB 880-Rowden	SB 925-Riddle
SB 881-Wieland	SB 926-Walsh
SB 882-Wieland	SB 927-Schatz
SB 883-Hoskins	SB 928-Brown
SB 884-Hoskins	SB 929-Emery
SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder
SB 896-Eigel	SB 940-Schupp
SB 897-Cierpiot	SB 941-Sater
SB 898-Cunningham	SB 942-Riddle
SB 899-Brown	SB 943-Crawford

SB 944-Williams	SB 984-Crawford
SB 945-Williams	SB 985-May
SB 946-Wieland	SB 986-May
SB 947-Wieland	SB 987-Williams
SB 948-Wallingford	SB 988-Emery
SB 949-Riddle	SB 989-May
SB 950-White	SB 990-May
SB 951-Schupp	SB 991-Walsh
SB 952-Williams	SB 992-Burlison
SB 953-Williams	SB 993-Burlison
SB 954-May	SB 994-Bernskoetter
SB 955-Walsh	SB 995-Cunningham
SB 956-Onder	SB 996-Onder
SB 957-Sater	SB 997-Bernskoetter
SB 958-Koenig	SB 998-Sifton
SB 959-Sifton	SB 999-Walsh
SB 960-Emery	SB 1000-Onder
SB 961-Emery	SB 1001-Brown
SB 962-Arthur	SB 1002-Rizzo
SB 963-O'Laughlin	SB 1003-White
SB 964-O'Laughlin	SB 1004-Cierpiot
SB 965-O'Laughlin	SB 1005-Schupp
SB 966-O'Laughlin	SB 1006-Hoskins
SB 967-Cierpiot	SB 1007-Burlison
SB 968-Cierpiot	SB 1008-Burlison
SB 969-Riddle	SB 1009-Burlison
SB 970-Rowden	SB 1010-Sater
SB 971-Sater	SB 1011-Williams
SB 972-Wieland	SB 1012-Wieland
SB 973-Wallingford	SB 1013-Wieland
SB 974-Wallingford	SJR 55-Eigel
SB 975-Wallingford	SJR 56-Burlison
SB 976-Sater	SJR 57-Onder
SB 977-Wallingford	SJR 58-Eigel
SB 978-Wallingford	SJR 59-Eigel
SB 979-Wallingford	SJR 60-Luetkemeyer
SB 980-Nasheed	SJR 61-Nasheed
SB 981-Cierpiot	SJR 62-Hoskins
SB 982-Cierpiot	SJR 63-Rizzo
SB 983-Brown	

HOUSE BILLS ON SECOND READING

HCS for HB 2033

HB 1450-Schroer

HCS for HBs 1511 & 1452
HCS for HB 2046
HB 1467-Pike
HB 1963-Fitzwater
HB 1296-Dinkins
HCS for HB 1521
HB 1934-Wiemann

HB 1700-Fishel
HCS for HB 1526
HB 1330-Veit
HCS for HB 1435
HB 1933-Wiemann
HB 1317-Sommer
HB 1693-Rehder

THIRD READING OF SENATE BILLS

SS for SB 600-Luetkemeyer (In Fiscal Oversight)

SS for SB 580-Cierpiot (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 623-Libla
2. SB 592-White
3. SB 525-Emery, with SCS
4. SB 554-Riddle
5. SB 649-Eigel
6. SB 581-Cierpiot, with SCS
7. SB 662-Bernskoetter, with SCS
8. SBs 538, 562 & 601-Libla, with SCS
9. SB 653-Crawford, with SCS
10. SB 555-Riddle
11. SB 526-Emery, with SCS
12. SB 618-Wallingford
13. SB 689-Emery, with SCS
14. SB 670-Hough, with SCS
15. SB 617-Cunningham, with SCS
16. SB 523-Sater, with SCS

17. SJR 40-Koenig
18. SB 648-Koenig, with SCS
19. SB 664-Burlison
20. SB 587-Bernskoetter
21. SB 558-Schatz, with SCS
22. SB 529-Cunningham, with SCS
23. SB 631-Hegeman, with SCS
24. SB 531-Wallingford
25. SB 594-Hough, with SCS
26. SB 636-Wieland
27. SB 644-Hoskins
28. SB 718-White, with SCS
29. SBs 673 & 560-Brown, with SCS
30. SB 677-Luetkemeyer
31. SB 569-Koenig, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 552-Wieland
SB 553-Wieland, with SA 1 (pending)

SB 557-Schatz, with SCS
SB 575-Eigel, with SS & SA 1 (pending)
SB 591-White, with SCS & SS for SCS
(pending)
SJR 32-Sater

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 30-Schupp
SCR 32-Bernskoetter

SCR 38-O'Laughlin

To be Referred

SCR 43-Burlison

✓

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIRST DAY—TUESDAY, FEBRUARY 18, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Happy is the person who meditates on wisdom and reasons intelligently...” (Sirach 14:20)

Creator God, we see in Your creation all was wonderfully made and operates in ways that are sometimes inconceivable to us who discern Your ways. Help us learn from You to approach all things that we are about here by researching and intelligently exploring their implications, help us mediate on what You desire of us and let us have the courage to do what you require. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1225, regarding Joyce Davis, Branson, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1014—By Sifton.

An Act to repeal sections 375.012, 375.018, 376.675, 409.114, 409.1-102, and 409.6-602, RSMo, and to enact in lieu thereof seven new sections relating to the secretary of state.

SB 1015—By Emery.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to minor traffic violations.

SB 1016—By Crawford.

An Act to repeal sections 436.218, 436.224, 436.227, 436.230, 436.236, 436.242, 436.245, 436.248, 436.254, 436.257, 436.260, 436.263, and 436.266, RSMo, and to enact in lieu thereof twelve new sections relating to athlete agents, with penalty provisions.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 43—Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 623** be taken up for perfection, which motion prevailed.

Senator Libla offered **SS** for **SB 623**, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 623**

An Act to repeal section 210.160, RSMo, and to enact in lieu thereof two new sections relating to guardians ad litem.

Senator Libla moved that **SS** for **SB 623** be adopted.

Senator Luetkemeyer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 623, Page 2, Section 210.160, Lines 9-10, by striking said lines and inserting in lieu thereof the following: **“seven business days following the receipt of notification of the appointment by the guardian ad litem and receipt of information pertaining to the custody and location of the child. The time during which the initial interview shall occur may be extended or**

waived in its entirety, by leave of the court, if doing so would be in the best interests of the child when considering the child's age, maturity, and other compelling circumstances. The child's current placement or legal custodian shall"; and further amend lines 14-17 of said page, by striking said lines and inserting in lieu thereof the following: **"child for the duration of the appointment.";** and

Further amend said bill, Pages 4-7, Section 484.355, by striking all of said section from the bill; and
Further amend the title and enacting clause accordingly.

Senator Luetkemeyer moved that the above amendment be adopted.

Senator White offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 623, Page 1, Line 8, by inserting after the word "court," the following: **"or may be shortened by the court sua sponte,"**.

Senator White moved that the above amendment be adopted, which motion prevailed.

Senator Luetkemeyer moved that **SA 1** to **SS**, as amended, be adopted, which motion prevailed.

Senator Libla moved that **SS** for **SB 623**, as amended, be adopted, which motion prevailed.

On motion of Senator Libla, **SS** for **SB 623**, as amended, was declared perfected and ordered printed.

At the request of Senator White, **SB 592** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 525**, with **SCS** was placed on the Informal Calendar.

Senator Riddle moved that **SB 554** be taken up for perfection, which motion prevailed.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 554, Page 1, In the Title, Line 3, by striking "coroners" and inserting in lieu thereof the following: "the deceased"; and

Further amend said bill, page 12, section 193.145, line 22, by inserting an opening bracket "[" immediately before "Nothing"; and further amend line 28, by inserting a closing bracket "]" immediately after "operational."; and

Further amend said bill and section, page 13, line 48, by inserting after "certification" the following: **"and attestation"**; and further amend line 49, by inserting after "certification" the following: **"and attestation"**; and

Further amend said bill and section, page 14, line 68, by inserting after "information" the following: **"and attestation"**; and further amend line 71, by inserting after "data" the following: **"and attestation"**; and further amend line 73, by inserting after "certification" the following: **"and attestation"**; and

Further amend said bill and section, page 15, line 111, by striking "(1)" from said line; and further amend lines 116-122 by striking all of said lines; and

Further amend said bill, section 193.265, page 17, line 72 by inserting after "records." the following: **"In the event that it is determined by the state registrar that any required information from any data**

provider was missing or incomplete on records or documentation that were filed with or submitted to the local registrar and then sent to the state registrar, the state registrar shall return the records or documentation to the local registrar so that the data provider, funeral director, or person in charge of the final disposition, can provide the missing or incomplete information. Nothing in this subsection removes any requirement in any statute or regulation as to when an affidavit or court order is necessary to amend a death certificate that has been issued.”; and further amend line 74, by inserting after all of said line the following:

“194.119. 1. As used in this section, the term “right of sepulcher” means the right to choose and control the burial, cremation, or other final disposition of a dead human body.

2. For purposes of this chapter and chapters 193, 333, and 436, and in all cases relating to the custody, control, and disposition of deceased human remains, including the common law right of sepulcher, where not otherwise defined, the term “next-of-kin” means the following persons in the priority listed if such person is eighteen years of age or older, is mentally competent, and is willing to assume responsibility for the costs of disposition:

(1) An attorney in fact designated in a durable power of attorney wherein the deceased specifically granted the right of sepulcher over his or her body to such attorney in fact;

(2) For a decedent who was on active duty in the United States military at the time of death, the person designated by such decedent in the written instrument known as the United States Department of Defense Form 93, Record of Emergency Data, in accordance with [P.L. 109-163, Section 564,] 10 U.S.C. Section 1482;

(3) The surviving spouse, unless an action for the dissolution of the marriage has been filed and is pending in a court of competent jurisdiction;

(4) Any surviving child of the deceased. If a surviving child is less than eighteen years of age and has a legal or natural guardian, such child shall not be disqualified on the basis of the child’s age and such child’s legal or natural guardian, if any, shall be entitled to serve in the place of the child unless such child’s legal or natural guardian was subject to an action in dissolution from the deceased. In such event the person or persons who may serve as next-of-kin shall serve in the order provided in subdivisions (5) to (9) of this subsection;

(5) (a) Any surviving parent of the deceased; or

(b) If the deceased is a minor, a surviving parent who has custody of the minor; or

(c) If the deceased is a minor and the deceased’s parents have joint custody, the parent whose residence is the minor child’s residence for purposes of mailing and education;

(6) Any surviving sibling of the deceased;

(7) The next nearest surviving relative of the deceased by consanguinity or affinity;

(8) Any person or friend who assumes financial responsibility for the disposition of the deceased’s remains if no next-of-kin assumes such responsibility;

(9) The county coroner or medical examiner; provided however that such assumption of responsibility shall not make the coroner, medical examiner, the county, or the state financially responsible for the cost of disposition.

3. The next-of-kin of the deceased shall be entitled to control the final disposition of the remains of any dead human being consistent with all applicable laws, including all applicable health codes. **The next-of-kin may delegate the control of the final disposition of the remains of any dead human being to an agent through either a specific or general grant of power in accordance with section 404.710 if, at the time of delegation, the next-of-kin was eighteen years of age or older and mentally competent and the principal or agent is taking financial responsibility for the disposition.**

4. A funeral director or establishment is entitled to rely on and act according to the lawful instructions of any person claiming to be the next-of-kin of the deceased; provided however, in any civil cause of action against a funeral director or establishment licensed pursuant to this chapter for actions taken regarding the funeral arrangements for a deceased person in the director's or establishment's care, the relative fault, if any, of such funeral director or establishment may be reduced if such actions are taken in reliance upon a person's claim to be the deceased person's next-of-kin.

5. Any person who desires to exercise the right of sepulcher and who has knowledge of an individual or individuals with a superior right to control disposition shall notify such individual or individuals prior to making final arrangements.

6. If an individual with a superior claim is [personally served with written notice from] **notified in person or by written notice with delivery confirmation to such person's last known address** by a person with an inferior claim that such person desires to exercise the right of sepulcher and the individual so served does not object within forty-eight hours of [receipt] **such notice**, such individual shall be deemed to have waived such right. An individual with a superior right may also waive such right at any time if such waiver is in writing and dated.

7. If there is more than one person in a class who are equal in priority and the funeral director has no knowledge of any objection by other members of such class, the funeral director or establishment shall be entitled to rely on and act according to the instructions of the first such person in the class to make arrangements; provided that such person assumes responsibility for the costs of disposition and no other person in such class provides written notice of his or her objection. If the funeral director has knowledge that there is more than one person in a class who are equal in priority and who do not agree on the disposition, the decision of the majority of the members of such class shall control the disposition.

8. For purposes of conducting a majority vote under subsection 7 of this section, the funeral director shall allow voting by proxy using a written authorization or instrument.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Riddle moved that **SB 554**, as amended, be adopted, which motion prevailed.

On motion of Senator Riddle, **SB 554**, as amended, was declared perfected and ordered printed.

At the request of Senator Eigel, **SB 649** was placed on the Informal Calendar.

At the request of Senator Cierpiot, **SB 581**, with **SCS**, was placed on the Informal Calendar.

Senator Bernskoetter moved that **SB 662**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 662**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 662

An Act to repeal section 537.115, RSMo, and to enact in lieu thereof one new section relating to the liability for distribution of donated shelf stable packaged food.

Was taken up.

Senator Bernskoetter moved that **SCS** for **SB 662** be adopted, which motion prevailed.

On motion of Senator Bernskoetter, **SCS** for **SB 662** was declared perfected and ordered printed.

At the request of Senator Libla, **SB 538**, **SB 562** and **SB 601**, with **SCS** was placed on the Informal Calendar.

Senator Crawford moved that **SB 653**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 653**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 653

An Act to repeal sections 210.566, 210.790, and 211.171, RSMo, and to enact in lieu thereof two new sections relating to foster parents.

Was taken up.

Senator Crawford moved that **SCS** for **SB 653** be adopted, which motion prevailed.

On motion of Senator Crawford, **SCS** for **SB 653** was declared perfected and ordered printed.

Senator Libla moved that **SB 538**, **SB 562** and **SB 601**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 538**, **562** and **601**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 538, 562 and 601

An Act to repeal sections 556.061, 571.015, 571.060, 571.063, and 571.070, RSMo, and to enact in lieu thereof five new sections relating to criminal offenses involving deadly weapons, with penalty provisions.

Was taken up.

Senator Libla moved that **SCS** for **SBs 538**, **562** and **601** be adopted.

Senator Libla offered **SS** for **SCS** for **SBs 538**, **562** and **601**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 538, 562, & 601

An Act to repeal sections 556.061, 568.045, 571.015, 571.060, 571.063, and 571.070, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof eight new sections relating to criminal offenses involving deadly weapons, with penalty provisions.

Senator Libla moved that **SS** for **SCS** for **SBs 538, 562 and 601** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 538, 562 & 601, Page 26, Section 571.070, Line 26, by striking all of said line and inserting in lieu thereof the following: “be a felony, **or has been convicted in any court of a misdemeanor crime of domestic violence; [or]”**; and

Further amend said bill and section, page 27, line 1, by inserting immediately after “incompetent” the following: “**, is illegally or unlawfully in the United States, or having been a citizen of the United States, has renounced United States citizenship; or**

(3) Such person is subject to a court order that:

(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(b) Restrains such person from harassing, stalking, or threatening a petitioner, as defined in subdivision (11) of section 455.010, or a child of such petitioner, or engaging in other conduct that would place such petitioner in reasonable fear of bodily injury to the petitioner or child; and

a. Includes a finding that such person represents a credible threat to the physical safety of such petitioner or child; or

b. By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such petitioner or child that would reasonably be expected to cause bodily injury”.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Libla, **SB 538, SB 562 and SB 601**, with **SCS, SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator May offered Senate Resolution No. 1226, regarding the death of Reverend Robert Earl Houston, which was adopted.

Senator Schatz offered Senate Resolution No. 1227, regarding Catherine Hannon, Labadie, which was adopted.

Senator Hoskins offered Senate Resolution No. 1228, regarding Sydney Rukavina, Wellington, which was adopted.

Senator Hoskins offered Senate Resolution No. 1229, regarding Melody Mertes, Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, Chris Fulcher, Columbia.

Senator Rowden introduced to the Senate, Dr. Colin McDonald, Dr. Peter J. Koopman, Dr. Natalie Long, and Taylor Ross, and students representing the Missouri Academy of Family Physicians.

Senator Schupp introduced to the Senate, Dr. Kara Mayes and Dr. Sarah Cole, Missouri Academy of

Family Physicians.

Senator Hoskins introduced to the Senate, faculty, staff, and students from the University of Central Missouri.

Senator Hoskins introduced to the Senate, Dr. Carrie Peecher, Slater; Dr. Jamie Ulbrich, Marshall; Dalton Lohsandt, Wellington; and Dr. David Pulliam, Higginsville.

Senator Riddle introduced to the Senate, Carlee Long, Paris.

Senator Onder introduced to the Senate, Sullivan and Jude Menne, and their parents, Nick and Mandy, Wentzville.

Senator Wallingford introduced to the Senate, Beyonce Hightower, Sikeston; Lauren Crutsinger, Whitewater; and Connor Lincoln, Leopold, representatives of the 4-H Legislative Academy.

Senator Williams introduced to the Senate, Interim Chancellor Kristin Sobolik, University of Missouri-St. Louis; and Kelly McGowan and Phedra Nelson, St. Louis.

On behalf of Senator Rowden, the President introduced to the Senate, Matt Vaughn, Sturgeon.

Senator Williams introduced to the Senate, Dan Isom, St. Louis.

Senator Eigel introduced to the Senate, Mayor Dan Borgmeyer, St. Charles; Adam Glosier, Town & Country; Brad Temme, Augusta; and Gary Elmsted, St. Peters.

Senator Koenig introduced to the Senate, the Physician of the Day, Dr. Matthew Satterly, St. Louis.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-SECOND DAY—WEDNESDAY, FEBRUARY 19, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 833-Luetkemeyer
 SB 834-Brown
 SB 835-Brown
 SB 836-Onder
 SB 837-White
 SB 838-White
 SB 839-Wallingford

SB 840-Arthur
 SB 841-Arthur
 SB 842-Emery
 SB 843-Burlison
 SB 844-Burlison
 SB 845-Burlison
 SB 846-Sater

SB 847-Eigel	SB 887-Walsh
SB 848-Eigel	SB 888-Koenig
SB 849-Eigel	SB 889-Koenig
SB 850-O'Laughlin	SB 890-Koenig
SB 851-O'Laughlin	SB 891-Burlison
SB 852-Hegeman	SB 892-Burlison
SB 853-Crawford	SB 893-Burlison
SB 854-Crawford	SB 895-Eigel
SB 855-Wieland	SB 896-Eigel
SB 856-Wieland	SB 897-Cierpiot
SB 857-Luetkemeyer	SB 898-Cunningham
SB 858-Hegeman	SB 899-Brown
SB 859-Hegeman	SB 900-Sifton
SB 860-Hegeman	SB 901-Wallingford
SB 861-White	SB 902-Wallingford
SB 862-White	SB 903-Wieland
SB 863-Brown	SB 904-Wieland
SB 864-Brown	SB 905-Eigel
SB 865-Brown	SB 906-Libla
SB 866-Brown	SB 907-Arthur
SB 867-Brown	SB 908-Hough
SB 868-Brown	SB 909-Wallingford
SB 869-Hough	SB 910-Wallingford
SB 870-Hough	SB 911-White
SB 871-Nasheed	SB 912-Emery
SB 872-Crawford	SB 913-Emery
SB 873-Crawford	SB 914-Arthur
SB 874-Sater	SB 915-Crawford
SB 875-Emery	SB 916-Crawford
SB 876-Libla	SB 917-Onder
SB 877-Burlison	SB 918-Onder
SB 878-Burlison	SB 919-Onder
SB 879-Burlison	SB 920-Wieland
SB 880-Rowden	SB 921-Wallingford
SB 881-Wieland	SB 922-Luetkemeyer
SB 882-Wieland	SB 923-Sifton
SB 883-Hoskins	SB 924-Riddle
SB 884-Hoskins	SB 925-Riddle
SB 885-Walsh	SB 926-Walsh
SB 886-Walsh	SB 927-Schatz

SB 928-Brown	SB 968-Cierpiot
SB 929-Emery	SB 969-Riddle
SB 930-Eigel	SB 970-Rowden
SB 931-Arthur	SB 971-Sater
SB 932-Onder	SB 972-Wieland
SB 933-Onder	SB 973-Wallingford
SB 934-Onder	SB 974-Wallingford
SB 935-Wallingford	SB 975-Wallingford
SB 936-May	SB 976-Sater
SB 937-Nasheed	SB 977-Wallingford
SB 938-Onder	SB 978-Wallingford
SB 939-Onder	SB 979-Wallingford
SB 940-Schupp	SB 980-Nasheed
SB 941-Sater	SB 981-Cierpiot
SB 942-Riddle	SB 982-Cierpiot
SB 943-Crawford	SB 983-Brown
SB 944-Williams	SB 984-Crawford
SB 945-Williams	SB 985-May
SB 946-Wieland	SB 986-May
SB 947-Wieland	SB 987-Williams
SB 948-Wallingford	SB 988-Emery
SB 949-Riddle	SB 989-May
SB 950-White	SB 990-May
SB 951-Schupp	SB 991-Walsh
SB 952-Williams	SB 992-Burlison
SB 953-Williams	SB 993-Burlison
SB 954-May	SB 994-Bernskoetter
SB 955-Walsh	SB 995-Cunningham
SB 956-Onder	SB 996-Onder
SB 957-Sater	SB 997-Bernskoetter
SB 958-Koenig	SB 998-Sifton
SB 959-Sifton	SB 999-Walsh
SB 960-Emery	SB 1000-Onder
SB 961-Emery	SB 1001-Brown
SB 962-Arthur	SB 1002-Rizzo
SB 963-O'Laughlin	SB 1003-White
SB 964-O'Laughlin	SB 1004-Cierpiot
SB 965-O'Laughlin	SB 1005-Schupp
SB 966-O'Laughlin	SB 1006-Hoskins
SB 967-Cierpiot	SB 1007-Burlison

SB 1008-Burlison
SB 1009-Burlison
SB 1010-Sater
SB 1011-Williams
SB 1012-Wieland
SB 1013-Wieland
SB 1014-Sifton
SB 1015-Emery
SB 1016-Crawford

SJR 55-Eigel
SJR 56-Burlison
SJR 57-Onder
SJR 58-Eigel
SJR 59-Eigel
SJR 60-Luetkemeyer
SJR 61-Nasheed
SJR 62-Hoskins
SJR 63-Rizzo

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452
HCS for HB 2046
HB 1467-Pike
HB 1963-Fitzwater
HB 1296-Dinkins
HCS for HB 1521

HB 1934-Wiemann
HB 1700-Fishel
HCS for HB 1526
HB 1330-Veit
HCS for HB 1435
HB 1933-Wiemann
HB 1317-Sommer
HB 1693-Rehder

THIRD READING OF SENATE BILLS

SS for SB 600-Luetkemeyer
(In Fiscal Oversight)

SS for SB 580-Cierpiot
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 555-Riddle
2. SB 526-Emery, with SCS
3. SB 618-Wallingford
4. SB 689-Emery, with SCS
5. SB 670-Hough, with SCS
6. SB 617-Cunningham, with SCS
7. SB 523-Sater, with SCS
8. SJR 40-Koenig
9. SB 648-Koenig, with SCS
10. SB 664-Burlison

11. SB 587-Bernskoetter
12. SB 558-Schatz, with SCS
13. SB 529-Cunningham, with SCS
14. SB 631-Hegeman, with SCS
15. SB 531-Wallingford
16. SB 594-Hough, with SCS
17. SB 636-Wieland
18. SB 644-Hoskins
19. SB 718-White, with SCS
20. SBs 673 & 560-Brown, with SCS

21. SB 677-Luetkemeyer

22. SB 569-Koenig, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater

SB 525-Emery, with SCS

SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)SBs 538, 562 & 601-Libla, with SCS, SS
for SCS & SA 1 (pending)

SB 539-Libla, with SA 1 (pending)

SB 552-Wieland

SB 553-Wieland, with SA 1 (pending)

SB 557-Schatz, with SCS

SB 575-Eigel, with SS & SA 1 (pending)

SB 581-Cierpiot, with SCS

SB 591-White, with SCS & SS for SCS
(pending)

SB 592-White

SB 649-Eigel

SJR 32-Sater

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 30-Schupp

SCR 32-Bernskoetter

SCR 38-O'Laughlin

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SECOND DAY—WEDNESDAY, FEBRUARY 19, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“For we are God’s servants, working together...”

Heavenly Father, we know You have brought each of us here so that we might work together to accomplish that which is most helpful and needed by those we represent. Guide our hearts and minds, our actions and efforts so we may find ways to build upon what others bring forward so what results is truly something we all may be proud and gives praise to Your name. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

Absent—Senators—None

Absent with leave—Senators

Nasheed Rowden—2

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 1230, regarding Sophia Nagel, Lee's Summit, which was adopted.

Senator Hoskins offered Senate Resolution No. 1231, regarding Sydney Nieweg, Bates City, which was adopted.

Senator Brown offered Senate Resolution No. 1232, regarding Trevor James Pelc, Rolla, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1017—By Walsh.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to asbestos.

SB 1018—By Rizzo.

An Act to repeal sections 217.810 and 548.241, RSMo, and to enact in lieu thereof three new sections relating to the supervision of adult offenders on probation or parole from other states.

SB 1019—By Rizzo.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for property tax relief for certain vulnerable populations.

SB 1020—By Schatz.

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to the assessment of mining properties.

SB 1021—By O'Laughlin.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to accountability requirements for low-performing schools.

SB 1022—By O'Laughlin.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to recordings of certain school district meetings.

SB 1023—By O'Laughlin.

An Act to authorize the conveyance of certain state property.

SB 1024—By Riddle.

An Act to repeal sections 104.010, 104.090, 104.395, 104.1003, and 104.1027, RSMo, and to enact in lieu thereof five new sections relating to survivor benefits.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Schatz submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

SB 554; SS for SB 623; SCS for SB 653; and SCS for SB 662, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SB 554** to the Committee on Fiscal Oversight.

On motion of Senator Wallingford, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 1233, regarding Samiya Sajid, Ballwin, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1234, regarding Brenda Forck, Jefferson City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1235, regarding Ivy Schank, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1236, regarding Haley Hochstatter, Kansas City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1237, regarding Amy Montalbano, Parkville, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1238, regarding the Fortieth Wedding Anniversary of Ken and Angie Beck, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1239, regarding the Fiftieth Wedding Anniversary of Danny Joe and Vicki Lynn Thorton, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1240, regarding Twenty-fifth Wedding Anniversary of James and Mary Thorton, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1241, regarding the Fiftieth Wedding Anniversary of Bob and Helen Hodkins, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1242, regarding the Platte County High School Girls Swimming Pirates, which was adopted.

Senator Emery offered Senate Resolution No. 1243, regarding Anna McDonald, Belton, which was adopted.

Senator Emery offered Senate Resolution No. 1244, regarding Mackenzie Voorhees, Belton, which was adopted.

Senator Emery offered Senate Resolution No. 1245, regarding Emma Snider, Peculiar, which was adopted.

Senator Emery offered Senate Resolution No. 1246, regarding Kerstin Randolph, Raymore, which was

adopted.

Senator Emery offered Senate Resolution No. 1247, regarding Kaitlin Dempsey, Freeman, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 525**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 525**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 525

An Act to repeal sections 160.400, 160.410, and 160.415, RSMo, and to enact in lieu thereof three new sections relating to recovery programs for high school students.

Was taken up.

Senator Emery moved that **SCS** for **SB 525** be adopted.

Senator Emery offered **SS** for **SCS** for **SB 525**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 525

An Act to repeal sections 160.400, 160.410, and 160.415, RSMo, and to enact in lieu thereof three new sections relating to recovery programs for high school students.

Senator Emery moved that **SS** for **SCS** for **SB 525** be adopted.

Senator Hough offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 525, Page 1, In the Title, Line 4 of the title, by striking “recovery programs for high school students” and inserting in lieu thereof the following: “charter schools”; and

Further amend said bill, Page 2, Section 160.400, Line 14 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, page 3, line 27 of said page, by striking the semicolon “;” and inserting in lieu thereof a period “.”; and further amend line 28 of said page, by striking all of said lines; and

Further amend said bill and section, page 4, line 1 of said page, by striking all of said line; and

Further amend said bill and section, page 5, line 7 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, page 6, line 8 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, page 7, line 24 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, Page 8, line 27 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, page 10, line 23 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and further amend line 25 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill and section, page 12, lines 2-5 of said page, by striking all of said lines; and further amend line 13 of said page, by inserting immediately after said line the following:

“160.403. 1. The department of elementary and secondary education shall establish an annual application and approval process for all entities eligible to sponsor charters as set forth in section 160.400 which are not sponsoring a charter school as of August 28, 2012[, except that the Missouri charter public school commission shall not be required to undergo the application and approval process]. No later than November 1, 2012, the department shall make available information and guidelines for all eligible sponsors concerning the opportunity to apply for sponsoring authority under this section.

2. The application process for sponsorship shall require each interested eligible sponsor[, except for the Missouri charter public school commission,] to submit an application by February first that includes the following:

(1) Written notification of intent to serve as a charter school sponsor in accordance with sections 160.400 to [160.425] **160.420** and section 167.349;

(2) Evidence of the applicant sponsor’s budget and personnel capacity;

(3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit charter school applicants consistent with sections 160.400 to [160.425] **160.420** and section 167.349;

(4) The performance contract that the applicant sponsor would, if approved as a charter sponsor, use to evaluate the charter schools it sponsors; and

(5) The applicant sponsor’s renewal, revocation, and nonrenewal processes consistent with section 160.405.

3. By April first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant sponsor’s compliance with sections 160.400 to [160.425] **160.420** and section 167.349 and properly promulgated rules of the department.

4. Within thirty days of the department’s decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be six years and renewable.”; and

Further amend said bill, Page 24, Section 160.415, line 12 of said page, by striking “160.425” and inserting in lieu thereof the following: “**160.420**”; and

Further amend said bill, page 25, section 160.415, lines 13 of said page, by inserting immediately after said line the following:

“[160.425. 1. The “Missouri Charter Public School Commission” is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri.

2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional district. The term of office of each member shall be four years, except those of the members first appointed, of which three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.

3. The appointees to the commission shall be selected as follows:

(1) One member selected by the governor from a slate of three recommended by the commissioner of education;

(2) One member selected by the governor from a slate of three recommended by the commissioner of higher education;

(3) One member selected by the governor from a slate of three recommended by the president pro tempore of the senate;

(4) One member selected by the governor from a slate of three recommended by the speaker of the house of representatives; and

(5) Five additional members appointed by the governor, one of whom shall be selected from a slate of three nominees recommended by the Missouri School Boards Association.

4. Members appointed to the commission shall collectively possess strong experience and expertise in governance, management and finance, school leadership, assessment, curriculum and instruction, and education law. All members of the commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.

5. The commission shall annually elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet at the call of the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission. Members of the commission are not eligible to receive compensation.

6. The commission may approve proposed charters for its sponsorship under sections 160.400 to 160.425 and shall:

(1) Comply with all of the requirements applicable to sponsors under sections 160.400 to 160.425;

(2) Exercise sponsorship over charters approved by the commission under sections 160.400 to 160.425, including receipt of sponsorship funding under subsection 11 of section 160.400.

7. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.

8. The commission shall conduct its business in accordance with chapter 610.

9. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds

it receives as sponsor under section 160.400.

10. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.]”; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted.

Senator Crawford assumed the Chair.

At the request of Senator Emery, **SB 525**, with SCS, SS for SCS and SA 1 (pending), be placed on the Informal Calendar.

Senator Wieland moved that **SB 552** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 552, Page 1, Section A, Line 2, by inserting after all of said line the following:

“105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties;

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received;

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit any member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor to receive any consideration for the purpose of attempting to influence the decision of any agency of the state on behalf of any person with regard to any application, bid or request for a state grant, loan, appropriation, contract, award, permit other than matters involving a driver’s license, or job before any state agency, commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm,

professional corporation or partnership serves in the general assembly, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm. This subdivision shall not be construed to prohibit any inquiry for information or the representation of a person without consideration before a state agency or in a matter involving the state if no consideration is given, charged or promised in consequence thereof; or

(4) Solicit any registered lobbyist for any compensated or noncompensated position, with a hiring date beginning after such person is no longer an elected official, while such person holds office.

2. No sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor or spouse of such official is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the state or any political subdivision thereof or any agency of the state or political subdivision for any consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No individual or business entity shall solicit a member of the general assembly to become employed by that individual or business entity as a legislative lobbyist while such member is holding office as a member of the general assembly. No member of the general assembly shall solicit clients to represent as a legislative lobbyist.

4. No person serving as a member of the general assembly or such member's staff, employee, spouse, or dependent children shall accept directly or indirectly a gift of any tangible or intangible item, service, or thing of value from any paid lobbyist or lobbyist principal.

5. For purposes of this section, the terms "lobbyist" and "legislative lobbyist" shall have the same meanings given to such terms under section 105.470."; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator White raised the point of order that **SA 1** is out of order as it goes beyond the scope of the original bill. The point of order was referred to the President Pro Tem who ruled it well taken, rendering **SA 1** moot.

On motion of Senator Wieland, **SB 552** was declared perfected and ordered printed.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

February 18, 2020
Mrs. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65109
Re: Joint Committee on Education

Dear Mrs. Crouse;

I hereby appoint Senator Cierpiot to the Joint Committee on Education to fill the current republican vacancy.

Sincerely,



Dave Schatz


Also,

February 18, 2020
Mrs. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65109
Re: Joint Committee on Education

Dear Mrs. Crouse;

I hereby appoint Senator Arthur to the Joint Committee on Education to fill the current democrat vacancy.

Sincerely,



Dave Schatz

INTRODUCTION OF GUESTS

Senator Schupp introduced to the Senate, Joshua Hodge, Colleen Chance, Christopher Allard, Carol Kost Cantor, Linda Fehrmann, Kennedy Brown, and Robert Williams, representatives of the American Foundation for Suicide Prevention, ARC Angels, The Tenth Man and The brAvery Foundation.

Senator Koenig introduced to the Senate, Caleb Whit, St. Louis.

Senator Onder introduced to the Senate, representatives of Vision St. Charles.

Senator Williams introduced to the Senate, Bob Bonney, Herman Styles, Liz Deas, Bill Gomel, and Meegan Whitehead, representatives of the Missouri Restaurant Association.

Senator Williams introduced to the Senate, Christy Merrell, Bethany Klett, David Wright, and Emily Gray, St. Louis Children's Hospital.

Senator Crawford introduced to the Senate, Karen and Charlee Stokes, Hickory County.

Senator Cunningham introduced to the Senate, Freddie Leroux, Doniphan.

Senator Cunningham introduced to the Senate, Moiria Seiber, West Plains.

Senator Emery introduced to the Senate, Caroline Allen, Jenna Strickland, and Sarah Kates, representatives of the American Foundation for Suicide Prevention.

On behalf of Senator Brown, the President introduced to the Senate, Kylie Doyle, Camdenton.

Senator Wieland introduced to the Senate, former State Senator Jack Gannon, Litchfield Park, Arizona.

Senator Hoskins introduced to the Senate, Rebekah Papasifakis, Olivia de Laurier, and Taylor Calahan; and Emma Kreisel, Molly Nicas, Jessica Snare, Jordan Chapman, Riley Dunn, Madelyn Kennish, Cooper Meldrem, Alyson Imboden, Luke Othic, Hannah Walters, Zach Munsterman, Livie Burson, Allie Griffiths, Mark Lewis, Nathan Skahan, and Andrew Price, representatives of CLIMB High, Warrensburg.

Senator White introduced to the Senate, Patrick Tuttle, Director, Joplin Convention and Visitors Bureau; and Niki Cloud, Carthage Convention and Visitors Bureau.

Senator Emery introduced to the Senate, Rebecca Horton, Clinton.

Senator Cunningham introduced to the Senate, Jayden Wiley, West Plains; Paige Rollins, Licking; and Olivia Grandberry, Waynesville.

Senator Cunningham introduced to the Senate, Miss Missouri Megan Kelly, and her sister, Claudia, Seymour.

On behalf of Senator Hough and himself, Senator Burlison introduced to the Senate, Rachel Prather, Niyati Sethi, Robbyn Rose, Stephanie Ulrich, Cassidy Cunningham, and Seth Hadley, Missouri State University Citizen Scholars and Student Government Association.

The President introduced to the Senate, Senator Judson Hill, Marietta, Georgia.

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. Charles Van Way, III, Kansas City.

On motion of Senator Wallingford, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-THIRD DAY—THURSDAY, FEBRUARY 20, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 833-Luetkemeyer
 SB 834-Brown
 SB 835-Brown
 SB 836-Onder
 SB 837-White
 SB 838-White
 SB 839-Wallingford
 SB 840-Arthur
 SB 841-Arthur

SB 842-Emery
 SB 843-Burlison
 SB 844-Burlison
 SB 845-Burlison
 SB 846-Sater
 SB 847-Eigel
 SB 848-Eigel
 SB 849-Eigel
 SB 850-O'Laughlin

SB 851-O’Laughlin	SB 896-Eigel
SB 852-Hegeman	SB 897-Cierpiot
SB 853-Crawford	SB 898-Cunningham
SB 854-Crawford	SB 899-Brown
SB 855-Wieland	SB 900-Sifton
SB 856-Wieland	SB 901-Wallingford
SB 857-Luetkemeyer	SB 902-Wallingford
SB 858-Hegeman	SB 903-Wieland
SB 859-Hegeman	SB 904-Wieland
SB 860-Hegeman	SB 905-Eigel
SB 861-White	SB 906-Libla
SB 862-White	SB 907-Arthur
SB 863-Brown	SB 908-Hough
SB 864-Brown	SB 909-Wallingford
SB 865-Brown	SB 910-Wallingford
SB 866-Brown	SB 911-White
SB 867-Brown	SB 912-Emery
SB 868-Brown	SB 913-Emery
SB 869-Hough	SB 914-Arthur
SB 870-Hough	SB 915-Crawford
SB 871-Nasheed	SB 916-Crawford
SB 872-Crawford	SB 917-Onder
SB 873-Crawford	SB 918-Onder
SB 874-Sater	SB 919-Onder
SB 875-Emery	SB 920-Wieland
SB 876-Libla	SB 921-Wallingford
SB 877-Burlison	SB 922-Luetkemeyer
SB 878-Burlison	SB 923-Sifton
SB 879-Burlison	SB 924-Riddle
SB 880-Rowden	SB 925-Riddle
SB 881-Wieland	SB 926-Walsh
SB 882-Wieland	SB 927-Schatz
SB 883-Hoskins	SB 928-Brown
SB 884-Hoskins	SB 929-Emery
SB 885-Walsh	SB 930-Eigel
SB 886-Walsh	SB 931-Arthur
SB 887-Walsh	SB 932-Onder
SB 888-Koenig	SB 933-Onder
SB 889-Koenig	SB 934-Onder
SB 890-Koenig	SB 935-Wallingford
SB 891-Burlison	SB 936-May
SB 892-Burlison	SB 937-Nasheed
SB 893-Burlison	SB 938-Onder
SB 895-Eigel	SB 939-Onder

SB 940-Schupp	SB 985-May
SB 941-Sater	SB 986-May
SB 942-Riddle	SB 987-Williams
SB 943-Crawford	SB 988-Emery
SB 944-Williams	SB 989-May
SB 945-Williams	SB 990-May
SB 946-Wieland	SB 991-Walsh
SB 947-Wieland	SB 992-Burlison
SB 948-Wallingford	SB 993-Burlison
SB 949-Riddle	SB 994-Bernskoetter
SB 950-White	SB 995-Cunningham
SB 951-Schupp	SB 996-Onder
SB 952-Williams	SB 997-Bernskoetter
SB 953-Williams	SB 998-Sifton
SB 954-May	SB 999-Walsh
SB 955-Walsh	SB 1000-Onder
SB 956-Onder	SB 1001-Brown
SB 957-Sater	SB 1002-Rizzo
SB 958-Koenig	SB 1003-White
SB 959-Sifton	SB 1004-Cierpiot
SB 960-Emery	SB 1005-Schupp
SB 961-Emery	SB 1006-Hoskins
SB 962-Arthur	SB 1007-Burlison
SB 963-O'Laughlin	SB 1008-Burlison
SB 964-O'Laughlin	SB 1009-Burlison
SB 965-O'Laughlin	SB 1010-Sater
SB 966-O'Laughlin	SB 1011-Williams
SB 967-Cierpiot	SB 1012-Wieland
SB 968-Cierpiot	SB 1013-Wieland
SB 969-Riddle	SB 1014-Sifton
SB 970-Rowden	SB 1015-Emery
SB 971-Sater	SB 1016-Crawford
SB 972-Wieland	SB 1017-Walsh
SB 973-Wallingford	SB 1018-Rizzo
SB 974-Wallingford	SB 1019-Rizzo
SB 975-Wallingford	SB 1020-Schatz
SB 976-Sater	SB 1021-O'Laughlin
SB 977-Wallingford	SB 1022-O'Laughlin
SB 978-Wallingford	SB 1023-O'Laughlin
SB 979-Wallingford	SB 1024-Riddle
SB 980-Nasheed	SJR 55-Eigel
SB 981-Cierpiot	SJR 56-Burlison
SB 982-Cierpiot	SJR 57-Onder
SB 983-Brown	SJR 58-Eigel
SB 984-Crawford	SJR 59-Eigel

SJR 60-Luetkemeyer
SJR 61-Nasheed

SJR 62-Hoskins
SJR 63-Rizzo

HOUSE BILLS ON SECOND READING

HCS for HB 2033
HB 1450-Schroer
HCS for HBs 1511 & 1452
HCS for HB 2046
HB 1467-Pike
HB 1963-Fitzwater
HB 1296-Dinkins
HCS for HB 1521

HB 1934-Wiemann
HB 1700-Fishel
HCS for HB 1526
HB 1330-Veit
HCS for HB 1435
HB 1933-Wiemann
HB 1317-Sommer
HB 1693-Rehder

THIRD READING OF SENATE BILLS

SS for SB 600-Luetkemeyer (In Fiscal Oversight)
SS for SB 580-Cierpiot (In Fiscal Oversight)
SB 554-Riddle (In Fiscal Oversight)

SS for SB 623-Libla
SCS for SB 653-Crawford
SCS for SB 662-Bernskoetter

SENATE BILLS FOR PERFECTION

1. SB 555-Riddle
2. SB 526-Emery, with SCS
3. SB 618-Wallingford
4. SB 689-Emery, with SCS
5. SB 670-Hough, with SCS
6. SB 617-Cunningham, with SCS
7. SB 523-Sater, with SCS
8. SJR 40-Koenig
9. SB 648-Koenig, with SCS
10. SB 664-Burlison
11. SB 587-Bernskoetter

12. SB 558-Schatz, with SCS
13. SB 529-Cunningham, with SCS
14. SB 631-Hegeman, with SCS
15. SB 531-Wallingford
16. SB 594-Hough, with SCS
17. SB 636-Wieland
18. SB 644-Hoskins
19. SB 718-White, with SCS
20. SBs 673 & 560-Brown, with SCS
21. SB 677-Luetkemeyer
22. SB 569-Koenig, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)

SBs 538, 562 & 601-Libla, with SCS, SS for SCS
& SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 553-Wieland, with SA 1 (pending)
SB 557-Schatz, with SCS

SB 575-Eigel, with SS & SA 1 (pending)	SB 592-White
SB 581-Cierpiot, with SCS	SB 649-Eigel
SB 591-White, with SCS & SS for SCS (pending)	SJR 32-Sater

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 30-Schupp
SCR 32-Bernskoetter

SCR 38-O'Laughlin

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-THIRD DAY—THURSDAY, FEBRUARY 20, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“May God be gracious to us and bless us and make his face to shine upon us...” (Psalm 67:1)

Loving God, Your love of us is great and You are gracious to bless us with the gifts of friends and loved ones. We trust in the power of Your love to help us see into our lives and ask that You will help make us into a far more loving person than we are today. Teach us how to really love our families, our friends, and even the stranger. And may we rejoice in those You have given to us to love and give thanks to You for them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Sater	Schatz	Schupp	Sifton	Wallingford	White	Wieland

Williams—29

Absent—Senators—None

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1248, regarding Regan Schmidt, Smithville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1249, regarding Gillian Sapp, Princeton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1250, regarding Samantha Leonard, Smithville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1251, regarding Michelle Gager, Smithville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1252, regarding Molli Atkinson, Smithville, which was adopted.

MEMORIALS

Senator Brown offered the following memorial, which was read:

SENATE MEMORIAL NO. 1

Whereas, the members of the Missouri Senate are deeply saddened by the news of the passing of Maxine Livesay Steelman of Salem, Missouri, on Monday, February 17, 2020; and

Whereas, Maxine Livesay Steelman was born on September 11, 1928, in Morgantown, West Virginia, the youngest daughter of Dr. Edward A. and Helen Hungate Livesay; and

Whereas, Maxine Livesay Steelman was married on November 21, 1951, to Dorman Lloyd Steelman; and

Whereas, Maxine Livesay Steelman graduated from West Virginia University and moved to Missouri to teach dance at Christian College (now Columbia College); and

Whereas, in addition to her lifelong enthusiasm for dance, Maxine Livesay Steelman came to love Missouri and its agriculture, becoming a proud cattle farmer certified in artificial insemination; and

Whereas, Maxine Livesay Steelman will be long and well remembered by her two children, David Lloyd Steelman (Sarah) and Deborah Macon (Tom); her six grandchildren, Amanda Steelman, Samuel Steelman, Joseph Steelman, Travis Ward, Michael Steelman, and Livasey Ward; her five great-grandchildren, Lillian Hazel Moore, Graeme Steelman, Billie Grace Steelman, Logan Ward, and Carter Ward; her sister, Alice Boatwright-Vincent; her daughter-in-law, Linda Skeeters Steelman; other relatives; and countless cherished friends:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, One Hundredth General Assembly, extend our most sincere condolences to the family of Maxine Livesay Steelman on this sad and sober occasion.

The Senate observed a moment of silence in memory of Maxine Steelman.

CONCURRENT RESOLUTIONS

Senator May offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 44

Whereas, section 173.030 of the Revised Statutes of Missouri describes the process for public colleges and universities to follow when seeking a statewide mission designation; and

Whereas, a college or university must provide the Coordinating Board for Higher Education with particular evidence of the institution's capacity to discharge a statewide mission successfully; and

Whereas, Harris-Stowe State University provided the Coordinating Board with the necessary evidence that it can successfully discharge a statewide mission in science, technology, engineering, and mathematics (STEM) for underrepresented and underresourced students; and

Whereas, the Coordinating Board voted to approve the request for such designation on December 11, 2019:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby approve of the statewide mission designation in STEM approved by the Coordinating Board for Higher Education for Harris-Stowe State University; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Commissioner of Higher Education and the President of Harris-Stowe State University.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1025—By Emery.

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to educational scholarship accounts, with a penalty provision.

SB 1026—By O’Laughlin.

An Act to repeal section 210.211, RSMo, and to enact in lieu thereof one new section relating to in-home child care facilities, with an emergency clause.

SB 1027—By O’Laughlin.

An Act to amend chapter 305, RSMo, by adding thereto six new sections relating to abandoned aircraft.

SB 1028—By White.

An Act to repeal sections 577.010 and 577.012, RSMo, and to enact in lieu thereof two new sections relating to community service requirements for certain offenders, with penalty provisions.

SB 1029—By Sater.

An Act to repeal section 67.662, RSMo, and to enact in lieu thereof one new section relating to tourism taxes.

SB 1030—By Williams.

An Act to repeal section 565.020, RSMo, and to enact in lieu thereof two new sections relating to murder in the first degree, with penalty provisions.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Vivek Malik, Independent, as a member of the Southeast Missouri State University Board of Regents;

Also,

Dr. Lisa J. Pierce and Rick Kegler, as members of the Drug Utilization Review Board;

Also,

Mark L. McHenry, Independent, as a member of the Conservation Commission;

Also,

Dr. Laura A. Rauscher, as a member of the Committee for Professional Counselors; and

Deborah L. Kerber, as a member of the State Board of Optometry.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

On behalf of Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Schatz submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 33**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 28**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 552**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Schatz assumed the Chair.

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 608**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 632**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 590**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 559**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 583**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do

pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 646**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 675** and **SB 705**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 676**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 48**; **SJR 41**; and **SJR 43** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 699**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SB 554**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS for SB 600**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS for SB 580**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SS for SB 600, introduced by Senator Luetkemeyer, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 600

An Act to repeal sections 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423 and 578.425, RSMo, and to enact in lieu thereof twelve new sections relating to dangerous felonies, with penalty

provisions.

Was taken up.

On motion of Senator Luetkemeyer, **SS** for **SB 600** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Sater	Schatz
Schupp	Sifton	Wallingford	White	Wieland	Williams—27	

NAYS—Senators

May Nasheed—2

Absent—Senators—None

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

SS for **SB 580**, introduced by Senator Cierpiot, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 580

An Act to amend chapters 143 and 191, RSMo, by adding thereto seven new sections relating to long-term care savings accounts.

Was taken up.

On motion of Senator Cierpiot, **SS** for **SB 580** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Sater
Schatz	Schupp	Sifton	Wallingford	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Cierpiot, title to the bill was agreed to.

Senator Cierpiot moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

SB 554, introduced by Senator Riddle, entitled:

An Act to repeal sections 58.095, 58.451, 58.720, 193.145, 193.265, and 194.119, RSMo, and to enact in lieu thereof eight new sections relating to the deceased.

Was taken up.

On motion of Senator Riddle, **SB 554** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Sater	Schatz	Schupp
Sifton	Wallingford	White	Wieland	Williams—26		

NAYS—Senators

Burlison Koenig—2

Absent—Senator May—1

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

SS for SB 623, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 623

An Act to repeal section 210.160, RSMo, and to enact in lieu thereof one new section relating to guardians ad litem.

Was taken up by Senator Libla.

On motion of Senator Libla, **SS for SB 623** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Rizzo	Sater	Schatz	Schupp
Sifton	Wallingford	White	Wieland	Williams—26		

NAYS—Senators

Burlison Riddle—2

Absent—Senator May—1

Absent with leave—Senators

Walsh Rowden—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

SCS for SB 653, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 653

An Act to repeal sections 210.566, 210.790, and 211.171, RSMo, and to enact in lieu thereof two new sections relating to foster parents.

Was taken up by Senator Crawford.

On motion of Senator Crawford, **SCS for SB 653** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Sater
Schatz	Schupp	Sifton	Wallingford	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Crawford, title to the bill was agreed to.

Senator Crawford moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

SCS for SB 662, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 662

An Act to repeal section 537.115, RSMo, and to enact in lieu thereof one new section relating to the liability for distribution of donated shelf stable packaged food.

Was taken up by Senator Bernskoetter.

On motion of Senator Bernskoetter, **SCS** for **SB 662** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Sater
Schatz	Schupp	Sifton	Wallingford	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senators

Rowden Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Wallingford moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1631**, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the joint committee on the Missouri constitutional convention.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1959**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to third-party motor vehicle inspection reports.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1566**, entitled:

An Act to repeal section 36.020, RSMo, and to enact in lieu thereof one new section relating to state personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1434**, entitled:

An Act to repeal section 105.485, RSMo, and to enact in lieu thereof one new section relating to financial interest forms.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1488**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to victim impact programs for driving while intoxicated offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1348**, entitled:

An Act to repeal section 196.298, RSMo, and to enact in lieu thereof one new section relating to cottage food production operations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1655**, entitled:

An Act to repeal sections 2.020, 2.110, and 193.225, RSMo, and to enact in lieu thereof three new sections relating to the secretary of state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1640**, entitled:

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees collected by the secretary of state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2061**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to kratom products, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 833—Transportation, Infrastructure and Public Safety.

SB 834—Economic Development.

SB 835—General Laws.

SB 836—Insurance and Banking.

SB 837—Local Government and Elections.

SB 838—Judiciary and Civil and Criminal Jurisprudence.

SB 839—Education.

SB 840—Local Government and Elections.

SB 841—Insurance and Banking.

SB 842—Seniors, Families and Children.

SB 843—Insurance and Banking.

SB 844—Judiciary and Civil and Criminal Jurisprudence.

SB 845—Government Reform.

SB 846—Veterans and Military Affairs.

SB 847—Ways and Means.

SB 848—Seniors, Families and Children.

SB 849—Insurance and Banking.

SB 850—Insurance and Banking.

SB 851—Local Government and Elections.

SB 852—Commerce, Consumer Protection, Energy and the Environment.

SB 853—Seniors, Families and Children.

SB 854—Local Government and Elections.

SB 855—Local Government and Elections.

SB 856—Insurance and Banking.

SB 857—Judiciary and Civil and Criminal Jurisprudence.

SB 858—Appropriations.

SB 859—Local Government and Elections.

SB 860—Local Government and Elections.

SB 861—Agriculture, Food Production and Outdoor Resources.

SB 862—Judiciary and Civil and Criminal Jurisprudence.

SB 863—Health and Pensions.

SB 864—Judiciary and Civil and Criminal Jurisprudence.

SB 865—Commerce, Consumer Protection, Energy and the Environment.

SB 866—Professional Registration.

SB 867—Transportation, Infrastructure and Public Safety.

SB 868—Agriculture, Food Production and Outdoor Resources.

SB 869—Local Government and Elections.

SB 870—Insurance and Banking.

SB 871—Economic Development.

SB 872—Local Government and Elections.

SB 873—Local Government and Elections.

SB 874—Commerce, Consumer Protection, Energy and the Environment.

SB 875—Education.

SB 876—Transportation, Infrastructure and Public Safety.

SB 877—Professional Registration.

SB 878—Agriculture, Food Production and Outdoor Resources.

SB 879—Government Reform.

SB 880—Government Reform.

SB 881—Judiciary and Civil and Criminal Jurisprudence.

SB 882—Insurance and Banking.

SB 883—Agriculture, Food Production and Outdoor Resources.

SB 884—Agriculture, Food Production and Outdoor Resources.

SB 885—Progress and Development.

SB 886—General Laws.

SB 887—Transportation, Infrastructure and Public Safety.

SB 888—Seniors, Families and Children.

SJR 55—Seniors, Families and Children.

SJR 56—Veterans and Military Affairs.

SJR 57—Rules, Joint Rules, Resolutions and Ethics.

SJR 58—Ways and Means.

SJR 59—Veterans and Military Affairs.

SJR 60—Health and Pensions.

SJR 61—Judiciary and Civil and Criminal Jurisprudence.

SJR 62—Agriculture, Food Production and Outdoor Resources.

SJR 63—Ways and Means.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2033—Commerce, Consumer Protection, Energy and the Environment.

HB 1450—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 1511 & 1452—Veterans and Military Affairs.

HCS for HB 2046—Professional Registration.

HB 1467—Health and Pensions.

HB 1963—Transportation, Infrastructure and Public Safety.

HB 1296—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1521—Transportation, Infrastructure and Public Safety.

HB 1934—Health and Pensions.

HB 1700—Local Government and Elections.

HCS for HB 1526—General Laws.

HB 1330—Local Government and Elections.

HCS for HB 1435—General Laws.

HB 1933—Local Government and Elections.

HB 1317—Education.

HB 1693—Judiciary and Civil and Criminal Jurisprudence.

INTRODUCTION OF GUESTS

Senator Nasheed introduced to the Senate, the Physician of the Day, Dr. Azam Farouqui, St. Louis.

Senator Rizzo introduced to the Senate, Janet Miles Bartee, and representatives of Local Investment Commissions (LINC), Kansas City.

Senator Williams introduced to the Senate, representatives of Beyond Housing/Missouri After School Network, St. Louis.

On motion of Senator Wallingford, the Senate adjourned until 4:00 p.m., Monday, February 24, 2020.

SENATE CALENDAR

TWENTY-FOURTH DAY—MONDAY, FEBRUARY 24, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 889-Koenig	SB 926-Walsh
SB 890-Koenig	SB 927-Schatz
SB 891-Burlison	SB 928-Brown
SB 892-Burlison	SB 929-Emery
SB 893-Burlison	SB 930-Eigel
SB 895-Eigel	SB 931-Arthur
SB 896-Eigel	SB 932-Onder
SB 897-Cierpiot	SB 933-Onder
SB 898-Cunningham	SB 934-Onder
SB 899-Brown	SB 935-Wallingford
SB 900-Sifton	SB 936-May
SB 901-Wallingford	SB 937-Nasheed
SB 902-Wallingford	SB 938-Onder
SB 903-Wieland	SB 939-Onder
SB 904-Wieland	SB 940-Schupp
SB 905-Eigel	SB 941-Sater
SB 906-Libla	SB 942-Riddle
SB 907-Arthur	SB 943-Crawford
SB 908-Hough	SB 944-Williams
SB 909-Wallingford	SB 945-Williams
SB 910-Wallingford	SB 946-Wieland
SB 911-White	SB 947-Wieland
SB 912-Emery	SB 948-Wallingford
SB 913-Emery	SB 949-Riddle
SB 914-Arthur	SB 950-White
SB 915-Crawford	SB 951-Schupp
SB 916-Crawford	SB 952-Williams
SB 917-Onder	SB 953-Williams
SB 918-Onder	SB 954-May
SB 919-Onder	SB 955-Walsh
SB 920-Wieland	SB 956-Onder
SB 921-Wallingford	SB 957-Sater
SB 922-Luetkemeyer	SB 958-Koenig
SB 923-Sifton	SB 959-Sifton
SB 924-Riddle	SB 960-Emery
SB 925-Riddle	SB 961-Emery

SB 962-Arthur	SB 997-Bernskoetter
SB 963-O'Laughlin	SB 998-Sifton
SB 964-O'Laughlin	SB 999-Walsh
SB 965-O'Laughlin	SB 1000-Onder
SB 966-O'Laughlin	SB 1001-Brown
SB 967-Cierpiot	SB 1002-Rizzo
SB 968-Cierpiot	SB 1003-White
SB 969-Riddle	SB 1004-Cierpiot
SB 970-Rowden	SB 1005-Schupp
SB 971-Sater	SB 1006-Hoskins
SB 972-Wieland	SB 1007-Burlison
SB 973-Wallingford	SB 1008-Burlison
SB 974-Wallingford	SB 1009-Burlison
SB 975-Wallingford	SB 1010-Sater
SB 976-Sater	SB 1011-Williams
SB 977-Wallingford	SB 1012-Wieland
SB 978-Wallingford	SB 1013-Wieland
SB 979-Wallingford	SB 1014-Sifton
SB 980-Nasheed	SB 1015-Emery
SB 981-Cierpiot	SB 1016-Crawford
SB 982-Cierpiot	SB 1017-Walsh
SB 983-Brown	SB 1018-Rizzo
SB 984-Crawford	SB 1019-Rizzo
SB 985-May	SB 1020-Schatz
SB 986-May	SB 1021-O'Laughlin
SB 987-Williams	SB 1022-O'Laughlin
SB 988-Emery	SB 1023-O'Laughlin
SB 989-May	SB 1024-Riddle
SB 990-May	SB 1025-Emery
SB 991-Walsh	SB 1026-O'Laughlin
SB 992-Burlison	SB 1027-O'Laughlin
SB 993-Burlison	SB 1028-White
SB 994-Bernskoetter	SB 1029-Sater
SB 995-Cunningham	SB 1030-Williams
SB 996-Onder	

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1348-Baker
HCS for HB 1959	HCS for HB 1655
HB 1566-Burnett	HB 1640-Taylor
HCS for HB 1434	HB 2061-Christofanelli
HCS for HB 1488	

THIRD READING OF SENATE BILLS

SB 552-Wieland

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|--|
| 1. SB 555-Riddle | 17. SB 636-Wieland |
| 2. SB 526-Emery, with SCS | 18. SB 644-Hoskins |
| 3. SB 618-Wallingford | 19. SB 718-White, with SCS |
| 4. SB 689-Emery, with SCS | 20. SBs 673 & 560-Brown, with SCS |
| 5. SB 670-Hough, with SCS | 21. SB 677-Luetkemeyer |
| 6. SB 617-Cunningham, with SCS | 22. SB 569-Koenig, with SCS |
| 7. SB 523-Sater, with SCS | 23. SB 608-May, with SCS |
| 8. SJR 40-Koenig | 24. SB 632-Hegeman |
| 9. SB 648-Koenig, with SCS | 25. SB 590-Burlison, with SCS |
| 10. SB 664-Burlison | 26. SB 559-Schatz, with SCS |
| 11. SB 587-Bernskoetter | 27. SB 583-Arthur, with SCS |
| 12. SB 558-Schatz, with SCS | 28. SB 646-Koenig |
| 13. SB 529-Cunningham, with SCS | 29. SBs 675 & 705-Luetkemeyer, with SCS |
| 14. SB 631-Hegeman, with SCS | 30. SJRs 48, 41 & 43-Luetkemeyer, with SCS |
| 15. SB 531-Wallingford | 31. SB 699-Riddle, with SCS |
| 16. SB 594-Hough, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 524-Sater | SB 557-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS & SA 1
(pending) | SB 575-Eigel, with SS & SA 1 (pending) |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 581-Cierpiot, with SCS |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 591-White, with SCS & SS for SCS
(pending) |
| SB 539-Libla, with SA 1 (pending) | SB 592-White |
| SB 553-Wieland, with SA 1 (pending) | SB 649-Eigel |
| | SJR 32-Sater |

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

Reported 2/20

SB 676-Luetkemeyer, with SCS

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 30-Schupp
SCR 32-Bernskoetter

SCR 33-May
SCR 38-O'Laughlin

To be Referred

SCR 44-May

MISCELLANEOUS

SM 1 - Brown

✓

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FOURTH DAY—MONDAY, FEBRUARY 24, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the words of my mouth, and the meditation of my heart, be acceptable in thy sight, O Lord, my strength and my redeemer.” (Psalm 19:14)

Gracious God, Open our hearts and eyes that we might receive Your spirit to see the world with all its beauty and power so we might entertain thoughts of adoration and love for the work You have created. As we share with others in what we desire to bring about let our words and thoughts bear Your blessings and be acceptable to others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 20, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 1253, regarding John Paul Christman, which was adopted.

Senator Schatz offered Senate Resolution No. 1254, regarding Wyatt Hartenstein, which was adopted.

Senator Schatz offered Senate Resolution No. 1255, regarding Logan Edward Gross, which was adopted.

Senator Arthur offered Senate Resolution No. 1256, regarding Elise Thomas, Kansas City, which was adopted.

Senator Arthur offered Senate Resolution No. 1257, regarding Courtney Rowe, Kansas City, which was adopted.

Senator Arthur offered Senate Resolution No. 1258, regarding Sophia Rothery, Liberty, which was adopted.

Senator Arthur offered Senate Resolution No. 1259, regarding Arlee Cado, Kansas City, which was adopted.

Senator Arthur offered Senate Resolution No. 1260, regarding Audrey Allen, Kansas City, which was adopted.

Senator Sater offered Senate Resolution No. 1261, regarding Brenda Miller, which was adopted.

Senator Sater offered Senate Resolution No. 1262, regarding Scott Pettit, which was adopted.

Senator Sater offered Senate Resolution No. 1263, regarding Jake McCully, which was adopted.

Senator Sater offered Senate Resolution No. 1264, regarding Ryan Cline, which was adopted.

Senator Sater offered Senate Resolution No. 1265, regarding Ron Schmidly, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 1266, regarding Gene Ingle, Mount Vernon, which was adopted.

Senator White offered Senate Resolution No. 1267, regarding Webb City High School Junior Army Reserve Officers' Training Corps (JROTC) Rifle Team, which was adopted.

Senators Bernskoetter, Wallingford and Luetkemeyer offered Senate Resolution No. 1268, regarding Major Richard L. Holtmeyer, which was adopted.

Senators Bernskoetter and Riddle offered Senate Resolution No. 1269, regarding the death of Galen R. Hammann, Jefferson City, which was adopted.

Senator Hoskins offered Senate Resolution No. 1270, regarding Jace Lance, Marshall, which was adopted.

Senator Williams offered Senate Resolution No. 1271, regarding BMac Stop the Violence Week, Wellston, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1031—By Nasheed.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to expungement of certain criminal records.

SB 1032—By Riddle.

An Act to amend chapter 334, RSMo, by adding thereto two new sections relating to radiologic licensure.

SB 1033—By Hegeman.

An Act to repeal section 67.1362, RSMo, and to enact in lieu thereof two new sections relating to transient guest taxes.

SB 1034—By Cierpiot.

An Act to repeal section 190.241, RSMo, and to enact in lieu thereof one new section relating to trauma centers.

SB 1035—By Emery.

An Act to repeal section 393.106, RSMo, and to enact in lieu thereof one new section relating to electric energy.

SB 1036—By White.

An Act to repeal section 379.122, RSMo, and to enact in lieu thereof one new section relating to motor vehicle insurance for military servicemembers.

SB 1037—By Walsh.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the sale of baby crib bumper pads, with penalty provisions and a delayed effective date.

SB 1038—By Wallingford.

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the joint task force on juvenile court jurisdiction and implementation.

SB 1039—By Wallingford.

An Act to amend chapter 66, RSMo, by adding thereto one new section relating to landfill properties in certain counties.

SB 1040—By Wallingford.

An Act to repeal section 393.355, RSMo, and to enact in lieu thereof one new section relating to ratemaking for public utilities.

CONCURRENT RESOLUTIONS

SCR 38, introduced by Seantor O’Laughlin, entitled:

Relating to the disapproval of the Missouri Hazardous Waste Management Commission’s recommendations regarding the fees and taxes of the Hazardous Waste Management Commission.

Was taken up.

Senator Brown assumed the Chair.

On motion of Senator O’Laughlin, **SCR 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Wallingford	Walsh	White	Wieland—26		

NAYS—Senators

Arthur	May	Schupp	Sifton	Williams—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the concurrent resolution passed.

On motion of Senator O’Laughlin, title to the concurrent resolution was agreed to.

Senator O’Laughlin moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Riddle, **SB 555** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 526**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 618** was placed on the Informal Calendar.

Senator Emery moved that **SB 689**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 689**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 689

An Act to repeal sections 337.020, 337.029, and 337.050, RSMo, and to enact in lieu thereof four new sections relating to licensing requirements for certain professionals.

Was taken up.

Senator Emery moved that **SCS** for **SB 689** be adopted, which motion prevailed.

On motion of Senator Emery, **SCS** for **SB 689** was declared perfected and ordered printed.

Senator Hough moved that **SB 670**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 670**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 670

An Act to repeal sections 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717,

334.719, 334.721, and 334.725, RSMo, and to enact in lieu thereof twelve new sections relating to professional registration for the healing arts, with penalty provisions.

Was taken up.

Senator Hough moved that **SCS** for **SB 670** be adopted.

President Kehoe assumed the Chair.

Senator Hough offered **SS** for **SCS** for **SB 670**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 670

An Act to repeal sections 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, 334.725, 337.020, 337.029, and 337.050, RSMo, and to enact in lieu thereof sixteen new sections relating to licensing requirements for certain professionals, with penalty provisions.

Senator Hough moved that **SS** for **SCS** for **SB 670** be adopted.

Senator Brown assumed the Chair.

Senator Bernskoetter assumed the Chair.

At the request of Senator Hough, **SB 670**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Cunningham moved that **SB 617**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 617**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 617

An Act to amend chapter 321, RSMo, by adding thereto one new section relating to devices for fire protection districts, with penalty provisions.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 617** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 617** was declared perfected and ordered printed.

At the request of Senator Sater, **SB 523**, with **SCS** was placed on the Informal Calendar.

Senator Hough moved that **SB 670**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 670** was again taken up.

Senator May offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 670, Page 23, Section 337.050, Line 15, by inserting after all of said line the following:

“454.1005. 1. To show cause why suspension of a license may not be appropriate, the obligor shall request a hearing from the court or division that issued the notice of intent to suspend the license. The

request shall be made within sixty days of the date of service of notice.

2. If an obligor fails to respond, without good cause, to a notice of intent to suspend a license[,] **or to** timely request a hearing or comply with a payment plan, [the obligor's defenses and objections shall be considered to be without merit and] the court or director may enter an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity.

3. **Due process requires that**, upon timely receipt of a request for hearing from an obligor, the court or director shall schedule a hearing **that complies with due process** to determine if suspension of the obligor's license is appropriate **considering all relevant factors**. The court or director shall stay suspension of the license pending the outcome of the hearing.

4. [If the action involves an arrearage, the only issues that may be determined in a hearing pursuant to this section are] **In determining whether the license suspension is appropriate under the circumstances, the court or director shall consider and issue written findings of fact and conclusions of law within thirty days following the hearing regarding the following:**

(1) The identity of the obligor;

(2) Whether the arrearage is in an amount greater than or equal to three months of support payments or two thousand five hundred dollars, whichever is less, by the date of service of a notice of intent to suspend; [and]

(3) Whether the obligor has entered a payment plan. If the action involves a failure to comply with a subpoena or order, the only issues that may be determined are the identity of the obligor and whether the obligor has complied with the subpoena or order;

(4) Whether the obligor had the ability to make the payments that are in arrearage;

(5) Whether the obligor has the current ability to make the payments;

(6) The reasons the obligor needs the license, including, but not limited to:

(a) Transportation of family members to and from work, school, or medical treatment;

(b) Transportation of the obligor or family members to extra curricular activities; or

(c) A requirement for employment;

(7) Whether the obligor is unemployed or underemployed;

(8) Whether the obligor is actively seeking employment;

(9) Whether the obligor has been offered job assistance through the state;

(10) Whether the obligor is disabled and his or her capacity to work; and

(11) Any other relevant factors that affect the obligor's ability to make the child support payments.

5. If the court or director, after the hearing, determines that the obligor has failed to comply with the child support payment obligation and an arrearage exists in excess of two thousand five hundred dollars for good cause, then the court or director shall not issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity or, if an order is in place, shall stay such order.

6. If the court or director, after hearing, determines that the obligor has failed, **without good cause**, to comply with any of the requirements in subsection 4 of this section, the court or director shall issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity.

[6.] 7. The court or division shall send a copy of the order suspending a license to the licensing authority and the obligor by certified mail.

[7.] 8. The determination of the director, after a hearing pursuant to this section, shall be a final agency decision and shall be subject to judicial review pursuant to chapter 536. Administrative hearings held pursuant to this section shall be conducted by hearing officers appointed by the director of the department pursuant to subsection 1 of section 454.475.

[8.] 9. A determination made by the court or division pursuant to this section is independent of any proceeding of the licensing authority to suspend, revoke, deny, terminate or renew a license.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Eigel raised the point of order that **SS** for **SCS** goes beyond the intent of the original bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 670**, with **SCS**, **SS** for **SCS**, **SA 1** and the point of order (pending), back on the Informal Calendar.

Senator Sater moved that **SB 523**, with **SCS** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 523**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 523

An Act to repeal sections 195.015, 195.017, 579.065, and 579.068, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with existing penalty provisions.

Was taken up.

Senator Sater moved that **SCS** for **SB 523** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 523**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 523

An Act to repeal sections 195.015, 195.017, 579.065, and 579.068, RSMo, and to enact in lieu thereof five new sections relating to controlled substances, with existing penalty provisions.

Senator Sater moved that **SS** for **SCS** for **SB 523** be adopted.

Senator Nasheed offered **SA 1**:

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 523, Page 46-47, Section 195.805, by striking said section from the bill.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators May, Schupp, Sifton and Williams.

SA 1 failed of adoption by the following vote:

YEAS—Senators—None

NAYS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Hegeman
Hoskins	Hough	Koenig	Luetkemeyer	May	Nasheed	Onder
Rizzo	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—25			

Absent—Senators

Cunningham	Eigel	Emery	O’Laughlin	Riddle—5
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Absent with leave—Senator Libla—1

Vacancies—3

Senator Onder offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 523, Page 47, Section 195.805, Line 3, by inserting after the word “renderings.” the following: **“However, geometric shapes, including, but not limited to, circles, squares, rectangles, and triangles, shall be permitted.”**

Senator Onder moved that the above amendment be adopted.

Senator Schupp offered SSA 1 for SA 2:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 523, Page 47, Section 195.805, Line 3, by inserting after the word “renderings.” the following: **“However, geometric shapes, including, but not limited to, circles, squares, rectangles, and triangles, shall be permitted.”**; and further amend line 14, by inserting after all of said line the following:

“4. The department shall promulgate rules and regulations regarding edible marijuana-infused products designed to appeal to persons under eighteen years of age, as well as promulgate rules and regulations to establish a process by which a licensed or certified entity may seek approval of an edible product design, package, or label prior to such product’s manufacture or sale in order to determine compliance with the provisions of this section and any rules promulgated pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

Senator Schupp moved that the above substitute amendment be adopted, which motion prevailed.

Senator Koenig offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 523, Page 46, Section 195.017, Line 22, by inserting after all of said line the following:

“195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than [nine] **seven and one-half** grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. No prescription shall be required for the dispensation, sale, or distribution of any drug product

containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits described in subsections 2 and 3 of this section; provided, that a valid prescription shall be required for amounts in excess of such limits. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

8. All persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

9. The penalty for a knowing or reckless violation of this section is found in section 579.060.”; and

Further amend said bill, page 47, section 195.805, line 14, by inserting after all of said line the following:

“579.060. 1. A person commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in a total amount greater than [nine] **seven and one-half** grams to the same individual within a thirty-day period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Purchases, receives, or otherwise acquires within a thirty-day period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than [nine] **seven and one-half** grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(3) Purchases, receives, or otherwise acquires within a twenty-four-hour period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than three and six-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(4) Dispenses or offers drug products that are not excluded from Schedule V in subsection 17 or 18 of section 195.017 and that contain detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, without ensuring that such products are located behind a pharmacy counter where the public is not permitted and that such products

are dispensed by a registered pharmacist or pharmacy technician under subsection 11 of section 195.017; or

(5) Holds a retail sales license issued under chapter 144 and knowingly sells or dispenses packages that do not conform to the packaging requirements of section 195.418.

2. A pharmacist, intern pharmacist, or registered pharmacy technician commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in a total amount greater than three and six-tenth grams to the same individual within a twenty-four hour period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Fails to submit information under subsection 13 of section 195.017 and subsection 5 of section 195.417 about the sales of any compound, mixture, or preparation of products containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in accordance with transmission methods and frequency established by the department of health and senior services; or

(3) Fails to implement and maintain an electronic log, as required by subsection 12 of section 195.017, of each transaction involving any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers or ephedrine, its salts, optical isomers, or salts of optical isomers; or

(4) Sells, distributes, dispenses or otherwise provides to an individual under eighteen years of age without a valid prescription any number of packages of any drug product containing any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers, or ephedrine, its salts or optical isomers, or salts of optical isomers.

3. Any person who violates the packaging requirements of section 195.418 and is considered the general owner or operator of the outlet where ephedrine, pseudoephedrine, or phenylpropanolamine products are available for sale shall not be penalized if he or she documents that an employee training program was in place to provide the employee who made the unlawful retail sale with information on the state and federal regulations regarding ephedrine, pseudoephedrine, or phenylpropanolamine.

4. The offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs is a class A misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted.

At the request of Senator Sater, **SB 523**, with **SCS**, **SS** for **SCS**, and **SA 3** (pending), was placed on the Informal Calendar.

Senator Hough moved that **SB 670**, with **SCS**, **SS** for **SCS**, **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

The point of order was again taken up.

President Pro Tem Schatz ruled that the point of order was not well taken.

At the request of Senator Hough, **SB 670**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on

the Informal Calendar.

REFERRALS

President Pro Tem Schatz referred **SCR 44** and **SM 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 689** and **SCS** for **SB 617**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1387** and **1482**, entitled:

An Act to amend chapter 198, RSMo, by adding thereto twelve new sections relating to the protection of residents living in long-term care facilities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1418**, entitled:

An Act to repeal section 32.056, RSMo, and to enact in lieu thereof one new section relating to confidentiality of motor vehicle registration records.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1486**, entitled:

An Act to repeal sections 579.040 and 579.076, RSMo, and to enact in lieu thereof two new sections relating to distributors of hypodermic needles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1868**, entitled:

An Act to repeal section 170.029, RSMo, and to enact in lieu thereof one new section relating to a state plan for career and technical education certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1873**, entitled:

An Act to repeal section 556.061, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof three new sections relating to the offense of vehicle hijacking, with penalty provisions and a delayed effective date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1696**, entitled:

An Act to authorize the conveyance of certain state property, with an emergency clause for certain sections.

Emergency Clause Adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1787**, entitled:

An Act to repeal sections 51.050, 55.060, 58.030, 60.010, 115.306, 115.357, 162.291, 190.050, 204.610, 247.060, 249.140, 321.130, and 483.010, RSMo, and to enact in lieu thereof fourteen new sections relating to requirements to run for certain public offices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

On behalf of Senator Koenig, the President introduced to the Senate, Heather Cunningham, St. Louis.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIFTH DAY—TUESDAY, FEBRUARY 25, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 889-Koenig	SB 921-Wallingford
SB 890-Koenig	SB 922-Luetkemeyer
SB 891-Burlison	SB 923-Sifton
SB 892-Burlison	SB 924-Riddle
SB 893-Burlison	SB 925-Riddle
SB 895-Eigel	SB 926-Walsh
SB 896-Eigel	SB 927-Schatz
SB 897-Cierpiot	SB 928-Brown
SB 898-Cunningham	SB 929-Emery
SB 899-Brown	SB 930-Eigel
SB 900-Sifton	SB 931-Arthur
SB 901-Wallingford	SB 932-Onder
SB 902-Wallingford	SB 933-Onder
SB 903-Wieland	SB 934-Onder
SB 904-Wieland	SB 935-Wallingford
SB 905-Eigel	SB 936-May
SB 906-Libla	SB 937-Nasheed
SB 907-Arthur	SB 938-Onder
SB 908-Hough	SB 939-Onder
SB 909-Wallingford	SB 940-Schupp
SB 910-Wallingford	SB 941-Sater
SB 911-White	SB 942-Riddle
SB 912-Emery	SB 943-Crawford
SB 913-Emery	SB 944-Williams
SB 914-Arthur	SB 945-Williams
SB 915-Crawford	SB 946-Wieland
SB 916-Crawford	SB 947-Wieland
SB 917-Onder	SB 948-Wallingford
SB 918-Onder	SB 949-Riddle
SB 919-Onder	SB 950-White
SB 920-Wieland	SB 951-Schupp

SB 952-Williams	SB 993-Burlison
SB 953-Williams	SB 994-Bernskoetter
SB 954-May	SB 995-Cunningham
SB 955-Walsh	SB 996-Onder
SB 956-Onder	SB 997-Bernskoetter
SB 957-Sater	SB 998-Sifton
SB 958-Koenig	SB 999-Walsh
SB 959-Sifton	SB 1000-Onder
SB 960-Emery	SB 1001-Brown
SB 961-Emery	SB 1002-Rizzo
SB 962-Arthur	SB 1003-White
SB 963-O'Laughlin	SB 1004-Cierpiot
SB 964-O'Laughlin	SB 1005-Schupp
SB 965-O'Laughlin	SB 1006-Hoskins
SB 966-O'Laughlin	SB 1007-Burlison
SB 967-Cierpiot	SB 1008-Burlison
SB 968-Cierpiot	SB 1009-Burlison
SB 969-Riddle	SB 1010-Sater
SB 970-Rowden	SB 1011-Williams
SB 971-Sater	SB 1012-Wieland
SB 972-Wieland	SB 1013-Wieland
SB 973-Wallingford	SB 1014-Sifton
SB 974-Wallingford	SB 1015-Emery
SB 975-Wallingford	SB 1016-Crawford
SB 976-Sater	SB 1017-Walsh
SB 977-Wallingford	SB 1018-Rizzo
SB 978-Wallingford	SB 1019-Rizzo
SB 979-Wallingford	SB 1020-Schatz
SB 980-Nasheed	SB 1021-O'Laughlin
SB 981-Cierpiot	SB 1022-O'Laughlin
SB 982-Cierpiot	SB 1023-O'Laughlin
SB 983-Brown	SB 1024-Riddle
SB 984-Crawford	SB 1025-Emery
SB 985-May	SB 1026-O'Laughlin
SB 986-May	SB 1027-O'Laughlin
SB 987-Williams	SB 1028-White
SB 988-Emery	SB 1029-Sater
SB 989-May	SB 1030-Williams
SB 990-May	SB 1031-Nasheed
SB 991-Walsh	SB 1032-Riddle
SB 992-Burlison	SB 1033-Hegeman

SB 1034-Cierpiot
 SB 1035-Emery
 SB 1036-White
 SB 1037-Walsh

SB 1038-Wallingford
 SB 1039-Wallingford
 SB 1040-Wallingford

HOUSE BILLS ON SECOND READING

HB 1631-Deaton
 HCS for HB 1959
 HB 1566-Burnett
 HCS for HB 1434
 HCS for HB 1488
 HB 1348-Baker
 HCS for HB 1655
 HB 1640-Taylor

HB 2061-Christofanelli
 HCS for HBs 1387 & 1482
 HB 1418-McGill
 HB 1486-Rehder
 HCS for HB 1868
 HB 1873-Gregory
 HCS for HB 1696
 HCS for HB 1787

THIRD READING OF SENATE BILLS

SB 552-Wieland
 SCS for SB 689-Emery

SCS for SB 617-Cunningham

SENATE BILLS FOR PERFECTION

1. SJR 40-Koenig
2. SB 648-Koenig, with SCS
3. SB 664-Burlison
4. SB 587-Bernskoetter
5. SB 558-Schatz, with SCS
6. SB 529-Cunningham, with SCS
7. SB 631-Hegeman, with SCS
8. SB 531-Wallingford
9. SB 594-Hough, with SCS
10. SB 636-Wieland
11. SB 644-Hoskins
12. SB 718-White, with SCS

13. SBs 673 & 560-Brown, with SCS
14. SB 677-Luetkemeyer
15. SB 569-Koenig, with SCS
16. SB 608-May, with SCS
17. SB 632-Hegeman
18. SB 590-Burlison, with SCS
19. SB 559-Schatz, with SCS
20. SB 583-Arthur, with SCS
21. SB 646-Koenig
22. SBs 675 & 705-Luetkemeyer, with SCS
23. SJRs 48, 41 & 43-Luetkemeyer, with SCS
24. SB 699-Riddle, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 523-Sater, with SCS, SS for SCS & SA 3 (pending)	SB 555-Riddle
SB 524-Sater	SB 557-Schatz, with SCS
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 575-Eigel, with SS & SA 1 (pending)
SB 526-Emery, with SCS	SB 581-Cierpiot, with SCS
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 591-White, with SCS & SS for SCS (pending)
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 592-White
SB 539-Libla, with SA 1 (pending)	SB 618-Wallingford
SB 553-Wieland, with SA 1 (pending)	SB 649-Eigel
	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
	SJR 32-Sater

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

Reported 2/20

SB 676-Luetkemeyer, with SCS

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer

SCR 32-Bernskoetter

SCR 30-Schupp

SCR 33-May

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIFTH DAY—TUESDAY, FEBRUARY 25, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“But I trust in you, O Lord; I say, “You are my God.” (Psalm 31:14)

Creative God, You have created all that exists and it is incumbent on us to remember that everything that lives and breathes carries Your creative energy and is holy because Your hand is upon all. You give us life that is part of all that we see about us and we ought to rejoice for the kindness and peace that You continue to bring forth and for the gifts from the earth. And for it all we say “Thank You.” In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1041—By Schupp.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to pelvic examinations.

SB 1042—By Nasheed.

An Act to amend chapters 160 and 213, RSMo, by adding thereto two new sections relating to discriminatory practices by educational institutions.

SB 1043—By Emery.

An Act to repeal section 290.500, RSMo, and to enact in lieu thereof one new section relating to the minimum wage.

SB 1044—By Crawford.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to demand-side programs for gas corporations.

SB 1045—By Bernskoetter.

An Act to repeal sections 8.800, 8.805, 8.830, 8.843, 23.295, 30.750, 67.2835, 135.311, 135.710, 135.950, 178.585, 186.019, 290.257, 374.007, 386.040, 386.071, 386.700, 386.710, 386.890, 393.1025, 414.400, 414.406, 414.417, 414.510, 620.010, 620.035, 620.484, 620.490, 620.511, 620.512, 620.513, 640.153, 640.157, 640.160, 640.651, 640.653, 660.135, 701.500, and 701.509, RSMo, section 167.910 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session, and to enact in lieu thereof forty new sections relating to the reorganization and renaming of certain state agencies.

REFERRALS

President Pro Tem Schatz referred **SCS** for **SB 617** to the Committee on Fiscal Oversight.

The Senate observed a moment of silence in memory of Maria Lucas.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1272, regarding Charlotte Davis, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1273, regarding Michael R. Brown, DO, Smithville, which was adopted.

Senator White offered Senate Resolution No. 1274, regarding the Ninetieth Birthday of Melvin Charles, Eggerman, Lockwood, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of SCS for **SB 676**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

The Senate observed a moment of silence in memory of Samuel L. Moore, III.

SENATE BILLS FOR PERFECTION

Senator Eigel moved that **SB 575**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Walsh offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 575, Page 4, Section 1, Line 23, by inserting after all of said line the following:

“7. (1) Not later than five hundred forty days after the effective date of this section, the labor and industrial relations commission shall prepare and submit to the general assembly a report assessing:

(a) The presence of asbestos in residential, commercial, industrial, public, and school buildings; and

(b) The extent of exposure and risk to human health associated with the asbestos present in those buildings from all commercial, industrial, and consumer activities that may result in asbestos exposure.

(2) The report required under this subsection shall additionally:

(a) Be based on the best available information, and information that can feasibly be obtained through surveys or other means; and

(b) Provide the following:

a. An estimate of the number of residential, commercial, industrial, public, and school buildings in Missouri where asbestos is present;

b. An estimate of the quantity of asbestos in those buildings and the portion of that asbestos that is friable;

c. A description of the types of building components and systems containing asbestos in those buildings and the categories of mixtures and articles containing asbestos that are present, such as thermal insulation, roofing materials, asbestos cement pipe, and asbestos cement sheet;

d. For each category of building, an estimate of the number of people potentially exposed to

asbestos, the conditions and activities with the greatest potential for exposure, and estimates of the levels of exposure;

e. A description of the role of handling, maintenance, and construction practices in creating exposure to asbestos and the impact of building aging on the potential for asbestos exposure;

f. An estimate of the quantity of asbestos waste generated from building renovation, repair, and demolition for each of the five calendar years preceding the date of submission of the report, and the procedures that are used for the handling, transport, and disposal of that waste;

g. An assessment of the sufficiency of existing statutes, regulations, policies, and programs implemented by state agencies in protecting against exposures to legacy asbestos; and

h. Recommendations for modifications or additions to those statutes, regulations, policies, and programs as necessary to reduce or eliminate risks to human health, including: the inspection of buildings to determine the presence and condition of asbestos; inventorying the presence and condition of asbestos in buildings; the abatement or removal of asbestos from buildings; handling asbestos during building maintenance, repair, demolition, and other commercial and industrial activities with the potential for asbestos exposure; and disposal of asbestos-containing waste and debris.”; and

Further renumber the remaining subsection accordingly.

Senator Walsh moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Arthur, May, Sifton and Williams.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Eigel, **SS** for **SB 575** was withdrawn, rendering **SA 1** and **SA 1** to **SA 1** moot.

Senator Eigel offered **SS No. 2** for **SB 575**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 575

An Act to amend chapter 537, RSMo, by adding thereto seven new sections relating to exposure to asbestos.

Senator Eigel moved that **SS No. 2** for **SB 575** be adopted.

Senator Crawford assumed the Chair.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 575, Page 1, Section 537.880, Line 18, by inserting after “benefits” the following: “**or a civil action arising out of, based on, or related to the health effects of exposure to asbestos and any derivative claim made by or on behalf of a person exposed to asbestos or a representative, spouse, parent, child, or other relative of a person that alleges that the health effects were wholly or partially due to exposure suffered while serving as a firefighter**”.

Senator Walsh moved that the above amendment be adopted and requested a roll call vote be taken. She

was joined in her request by Senators Arthur, May, Nasheed, and Rizzo.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Arthur	Hough	May	Nasheed	Rizzo	Rowden	Sifton
Walsh	Williams—9					

NAYS—Senators

Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Koenig	O’Laughlin	Onder	Schatz	White
Wieland—15						

Absent—Senators

Brown	Luetkemeyer	Riddle	Sater	Schupp	Wallingford—6
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Absent with leave—Senator Libla—1

Vacancies—3

Senator Rizzo offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Bill No. 575, Page 1, Section 537.880, Line 18, by inserting after “benefits” the following: **“or a civil action arising out of, based on, or related to the health effects of exposure to asbestos and any derivative claim made by or on behalf of a person exposed to asbestos or a representative, spouse, parent, child, or other relative of a person that alleges that the health effects were wholly or partially due to exposure suffered while serving as a member of any branch of the United States military”**.

Senator Rizzo moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

Senator Crawford assumed the Chair.

Senator Emery assumed the Chair.

President Kehoe assumed the Chair.

Senator Emery assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Eigel, **SB 575**, with **SS No. 2** and **SA 2** (pending), was placed on the Informal Calendar.

Senator White moved that **SB 591**, with **SCS** and **SS for SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for SCS was again taken up.

At the request of Senator White, **SS for SCS for SB 591** was withdrawn.

Senator White offered **SS No. 2** for **SCS** for **SB 591**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal sections 407.020, 407.025, 510.263, 510.265, 538.205, and 538.210, RSMo, and to enact in lieu thereof eight new sections relating to civil actions, with existing penalty provisions.

Senator White moved that **SS No. 2** for **SCS** for **SB 591** be adopted, which motion prevailed.

On motion of Senator White, **SS No. 2** for **SCS** for **SB 591** was declared perfected and ordered printed.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 1275, regarding Ben Wilbers, Jefferson City, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1276, regarding Jackson Douglas Allmeroth, Jefferson City, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1277, regarding Don Nikodim, Columbia, which was adopted.

Senator Libla offered Senate Resolution No. 1278, regarding the Sixtieth Birthday of Nathaniel Andrew Ellis, Kennett, which was adopted.

Senator Libla offered Senate Resolution No. 1279, regarding Nathaniel Andrew Ellis, Kennett, which was adopted.

INTRODUCTION OF GUESTS

Senator Williams introduced to the Senate, Stacy Edwards, St. Louis; Ryana Parks-Shaw, Kansas City; and Kimberly Egonmwan, Chicago; and representatives of Alpha Kappa Alpha Sorority, Inc.

Senator Williams introduced to the Senate, Kevin Bucheck, University City.

Senator Libla introduced to the Senate, Dr. Wesley Payne, President; Dr. Maribeth Payne, Dr. Mairead Ryan-Anderson, Gina Bubanovich, Jennifer Berten, Johnny Boham, Jalishia Draper, Steven (Izzy) Lane, Kristen Ott, Angela Ray, Amy Stradler, Penny Taylor and Bailey Tellez, Three Rivers College, Poplar Bluff.

Senator Nasheed introduced to the Senate, Michelle Sherrod and Glen Campbell, St. Louis City.

Senator White introduced to the Senate, Senior Army Instructor Lieutenant Colonel Dustin K. Elder; and Quinton Tyler, Hannah Burton, Bailey Russell, Lauren Gilpin, Gabe Elder, Zachary Chronister, Jessi DeGonia, Jalynn Smith, Elijah Holloway, Hannah Rearrick and Jager Carter, Webb City High School Junior Army Reserve Officers' Training Corps Rifle Team.

The President introduced to the Senate, Consul General Alan Gogbashian, and representatives of the British Diplomatic Service, Chicago.

Senator Williams introduced to the Senate, former State Representative Joe Adams, University City.

Senator Williams introduced to the Senate, Jessica and Flora Woolbright, and Carla and Lilly Maley, Missouri Coalition Against Domestic and Sexual Violence, St. Louis; and Flora and Lilly were made

honorary pages.

Senator Eigel introduced to the Senate, Dana Hunter, O'Fallon; and Chris Schulz, Chesterfield.

Senator Rizzo introduced to the Senate, representatives of the Raytown, South Kansas City, Grandview, Blue Springs, Independence and Lee's Summit chambers of commerce.

Senator Crawford introduced to the Senate, representatives of Leadership Buffalo.

Senator Libla introduced to the Senate, Braxton Watkins, his parents, Ashley and Colby Reynolds, sister Izzy Reynolds, and Sandra Hooker, Caruthersville.

Senator Hoskins introduced to the Senate, Teacher Lori Peel; Kathy Papreck and Crystal Vestal; and McKenzie Dowell, Avery Evans, Eliza Papreck, Ayla Castaneda and Marisa Vestal, Marshall.

Senator Sifton introduced to the Senate, the Physician of the Day, Dr. Evan S. Schwarz, St. Louis.

On motion of Senator Rowden, the Senate adjourned until February 26, 2020 at 11:00 a.m.

SENATE CALENDAR

TWENTY-SIXTH DAY—WEDNESDAY, FEBRUARY 26, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 889-Koenig	SB 906-Libla
SB 890-Koenig	SB 907-Arthur
SB 891-Burlison	SB 908-Hough
SB 892-Burlison	SB 909-Wallingford
SB 893-Burlison	SB 910-Wallingford
SB 895-Eigel	SB 911-White
SB 896-Eigel	SB 912-Emery
SB 897-Cierpiot	SB 913-Emery
SB 898-Cunningham	SB 914-Arthur
SB 899-Brown	SB 915-Crawford
SB 900-Sifton	SB 916-Crawford
SB 901-Wallingford	SB 917-Onder
SB 902-Wallingford	SB 918-Onder
SB 903-Wieland	SB 919-Onder
SB 904-Wieland	SB 920-Wieland
SB 905-Eigel	SB 921-Wallingford

SB 922-Luetkemeyer
SB 923-Sifton
SB 924-Riddle
SB 925-Riddle
SB 926-Walsh
SB 927-Schatz
SB 928-Brown
SB 929-Emery
SB 930-Eigel
SB 931-Arthur
SB 932-Onder
SB 933-Onder
SB 934-Onder
SB 935-Wallingford
SB 936-May
SB 937-Nasheed
SB 938-Onder
SB 939-Onder
SB 940-Schupp
SB 941-Sater
SB 942-Riddle
SB 943-Crawford
SB 944-Williams
SB 945-Williams
SB 946-Wieland
SB 947-Wieland
SB 948-Wallingford
SB 949-Riddle
SB 950-White
SB 951-Schupp
SB 952-Williams
SB 953-Williams
SB 954-May
SB 955-Walsh
SB 956-Onder
SB 957-Sater
SB 958-Koenig
SB 959-Sifton
SB 960-Emery
SB 961-Emery

SB 962-Arthur
SB 963-O’Laughlin
SB 964-O’Laughlin
SB 965-O’Laughlin
SB 966-O’Laughlin
SB 967-Cierpiot
SB 968-Cierpiot
SB 969-Riddle
SB 970-Rowden
SB 971-Sater
SB 972-Wieland
SB 973-Wallingford
SB 974-Wallingford
SB 975-Wallingford
SB 976-Sater
SB 977-Wallingford
SB 978-Wallingford
SB 979-Wallingford
SB 980-Nasheed
SB 981-Cierpiot
SB 982-Cierpiot
SB 983-Brown
SB 984-Crawford
SB 985-May
SB 986-May
SB 987-Williams
SB 988-Emery
SB 989-May
SB 990-May
SB 991-Walsh
SB 992-Burlison
SB 993-Burlison
SB 994-Bernskoetter
SB 995-Cunningham
SB 996-Onder
SB 997-Bernskoetter
SB 998-Sifton
SB 999-Walsh
SB 1000-Onder
SB 1001-Brown

SB 1002-Rizzo
SB 1003-White
SB 1004-Cierpiot
SB 1005-Schupp
SB 1006-Hoskins
SB 1007-Burlison
SB 1008-Burlison
SB 1009-Burlison
SB 1010-Sater
SB 1011-Williams
SB 1012-Wieland
SB 1013-Wieland
SB 1014-Sifton
SB 1015-Emery
SB 1016-Crawford
SB 1017-Walsh
SB 1018-Rizzo
SB 1019-Rizzo
SB 1020-Schatz
SB 1021-O'Laughlin
SB 1022-O'Laughlin
SB 1023-O'Laughlin

SB 1024-Riddle
SB 1025-Emery
SB 1026-O'Laughlin
SB 1027-O'Laughlin
SB 1028-White
SB 1029-Sater
SB 1030-Williams
SB 1031-Nasheed
SB 1032-Riddle
SB 1033-Hegeman
SB 1034-Cierpiot
SB 1035-Emery
SB 1036-White
SB 1037-Walsh
SB 1038-Wallingford
SB 1039-Wallingford
SB 1040-Wallingford
SB 1041-Schupp
SB 1042-Nasheed
SB 1043-Emery
SB 1044-Crawford
SB 1045-Bernskoetter

HOUSE BILLS ON SECOND READING

HB 1631-Deaton
HCS for HB 1959
HB 1566-Burnett
HCS for HB 1434
HCS for HB 1488
HB 1348-Baker
HCS for HB 1655
HB 1640-Taylor

HB 2061-Christofanelli
HCS for HBs 1387 & 1482
HB 1418-McGill
HB 1486-Rehder
HCS for HB 1868
HB 1873-Gregory
HCS for HB 1696
HCS for HB 1787

THIRD READING OF SENATE BILLS

SB 552-Wieland
SCS for SB 689-Emery

SCS for SB 617-Cunningham
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--|
| 1. SJR 40-Koenig | 13. SBs 673 & 560-Brown, with SCS |
| 2. SB 648-Koenig, with SCS | 14. SB 677-Luetkemeyer |
| 3. SB 664-Burlison | 15. SB 569-Koenig, with SCS |
| 4. SB 587-Bernskoetter | 16. SB 608-May, with SCS |
| 5. SB 558-Schatz, with SCS | 17. SB 632-Hegeman |
| 6. SB 529-Cunningham, with SCS | 18. SB 590-Burlison, with SCS |
| 7. SB 631-Hegeman, with SCS | 19. SB 559-Schatz, with SCS |
| 8. SB 531-Wallingford | 20. SB 583-Arthur, with SCS |
| 9. SB 594-Hough, with SCS | 21. SB 646-Koenig |
| 10. SB 636-Wieland | 22. SBs 675 & 705-Luetkemeyer, with SCS |
| 11. SB 644-Hoskins | 23. SJRs 48, 41 & 43-Luetkemeyer, with SCS |
| 12. SB 718-White, with SCS | 24. SB 699-Riddle, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 523-Sater, with SCS, SS for SCS &
SA 3 (pending) | SB 553-Wieland, with SA 1 (pending) |
| SB 524-Sater | SB 555-Riddle |
| SB 525-Emery, with SCS, SS for SCS &
SA 1 (pending) | SB 557-Schatz, with SCS |
| SB 526-Emery, with SCS | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 581-Cierpiot, with SCS |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 592-White |
| SB 539-Libla, with SA 1 (pending) | SB 618-Wallingford |
| | SB 649-Eigel |
| | SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending) |
| | SJR 32-Sater |

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 30-Schupp

SCR 32-Bernskoetter
SCR 33-May

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SIXTH DAY—WEDNESDAY, FEBRUARY 26, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Crawford offered the following prayer:

“Do nothing out of selfish ambition or vain conceit. Rather in humility value others above yourselves.” Philippians 2:3

Merciful God: Help us hear Your command to all people of every faith to respond to Your call to seek a “right spirit” within ourselves, with our neighbors and with You. Forgive us for the times we did not treat other brothers and sisters as we would treat You. We thank You for the dawning of this day full of promise as we attempt and often fail to follow Your example. Christians observe this day as Ash Wednesday marking the beginning of the Lenten season, a period of repentance. We trust in Your constant forgiveness, grace and Your promise to be with us always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Sifton	Wallingford	Walsh	White	Wieland	Williams—27

Absent—Senators—None

Absent with leave—Senators

May	Nasheed	Schupp	Walsh—4
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Vacancies—3

The Lieutenant Governor was present.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1046—By Koenig.

An Act to repeal section 301.558, RSMo, and to enact in lieu thereof one new section relating to administrative fees imposed by dealers licensed by the department of revenue, with an existing penalty provision.

SB 1047—By O’Laughlin.

An Act to repeal section 477.600, RSMo, and to enact in lieu thereof one new section relating to proceedings of the judicial finance commission.

SB 1048—By Burlison.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to utility services.

SB 1049—By Burlison.

An Act to repeal section 191.237, RSMo, and to enact in lieu thereof three new sections relating to health information exchanges.

SB 1050—By O’Laughlin.

An Act to amend chapter 316, RSMo, by adding thereto one new section relating to internet domain names of website operators, with penalty provisions.

SB 1051—By Eigel.

An Act to amend chapter 190, RSMo, by adding thereto new new section relating to detachment from certain ambulance districts.

SB 1052—By Eigel.

An Act to repeal section 287.140, RSMo, and to enact in lieu thereof one new section relating to workers’ compensation, with existing penalty provisions.

SB 1053—By Eigel.

An Act to repeal section 590.500, RSMo, and to enact in lieu thereof one new section relating to law enforcement officer disciplinary actions.

SB 1054—By Cierpiot.

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to proprietary school exemptions.

SB 1055—By Rowden.

An Act to repeal sections 143.121, 163.021, 167.645, 167.895, and 168.021, RSMo, and to enact in lieu thereof ten new sections relating to elementary and secondary education.

SB 1056—By Hegeman.

An Act to repeal section 190.455, RSMo, and to enact in lieu thereof one new section relating to emergency communication services.

SB 1057—By Hegeman and Luetkemeyer.

An Act to repeal sections 620.2005 and 620.2010, RSMo, and to enact in lieu thereof two new sections

relating to economic incentives for the creation of military jobs.

SB 1058—By Brown.

An Act to repeal section 301.032, RSMo, and to enact in lieu thereof one new section relating to fleet vehicle registration.

SB 1059—By Hough.

An Act to repeal sections 270.170, 270.260, 270.270, and 270.400, RSMo, and to enact in lieu thereof four new sections relating to feral swine, with penalty provisions.

SB 1060—By Hough.

An Act to amend chapter 137, RSMo, by adding thereto two new sections relating to the taxation of property associated with the production of energy.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert P. Ballsrud, 6 Hill Drive, Glendale, Saint Louis County, Missouri 63122, as a member of the Higher Education Loan Authority, for a term ending October 22, 2020, and until his successor is duly appointed and qualified; vice, Melanie R. Rippetoe, term expired.

Respectfully submitting,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Edward Frederick, Republican, 21295 Pleasant Hill Road, Boonville, Cooper County, Missouri 65203, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2023, and until his successor is duly appointed and qualified; vice, Erick V. Kern, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gerald Wayne Johnson, Republican, Route 2 Box 2585, Sedgewickville, Bollinger County, Missouri 63781, as the Second District Commissioner of the Bollinger County Commission, for a term ending when his successor is duly elected or appointed and qualified; vice, Roy Garner, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Nate K. Johnson, 2209 Cleek Court, Saint Louis, Saint Louis County, Missouri 63131, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2024, and until his successor is duly appointed and qualified; vice, Aliah Holman, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Steve Sellenriek, Republican, 101 Dixie Lane, Jonesburg, Montgomery County, Missouri 63351, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2025, and until his successor is duly appointed and qualified; vice, Steven G. Sellenriek, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 26, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Mark J. Collom, term expired.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments and reappointment to the Committee on Gubernatorial Appointments.

INTRODUCTION OF GUESTS

Senator Burlison introduced to the Senate, the Physician of the Day, Dr. Kathy Sun, Springfield.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-SEVENTH DAY—THURSDAY, FEBRUARY 27, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 889-Koenig	SB 915-Crawford
SB 890-Koenig	SB 916-Crawford
SB 891-Burlison	SB 917-Onder
SB 892-Burlison	SB 918-Onder
SB 893-Burlison	SB 919-Onder
SB 895-Eigel	SB 920-Wieland
SB 896-Eigel	SB 921-Wallingford
SB 897-Cierpiot	SB 922-Luetkemeyer
SB 898-Cunningham	SB 923-Sifton
SB 899-Brown	SB 924-Riddle
SB 900-Sifton	SB 925-Riddle
SB 901-Wallingford	SB 926-Walsh
SB 902-Wallingford	SB 927-Schatz
SB 903-Wieland	SB 928-Brown
SB 904-Wieland	SB 929-Emery
SB 905-Eigel	SB 930-Eigel
SB 906-Libla	SB 931-Arthur
SB 907-Arthur	SB 932-Onder
SB 908-Hough	SB 933-Onder
SB 909-Wallingford	SB 934-Onder
SB 910-Wallingford	SB 935-Wallingford
SB 911-White	SB 936-May
SB 912-Emery	SB 937-Nasheed
SB 913-Emery	SB 938-Onder
SB 914-Arthur	SB 939-Onder

SB 940-Schupp	SB 980-Nasheed
SB 941-Sater	SB 981-Cierpiot
SB 942-Riddle	SB 982-Cierpiot
SB 943-Crawford	SB 983-Brown
SB 944-Williams	SB 984-Crawford
SB 945-Williams	SB 985-May
SB 946-Wieland	SB 986-May
SB 947-Wieland	SB 987-Williams
SB 948-Wallingford	SB 988-Emery
SB 949-Riddle	SB 989-May
SB 950-White	SB 990-May
SB 951-Schupp	SB 991-Walsh
SB 952-Williams	SB 992-Burlison
SB 953-Williams	SB 993-Burlison
SB 954-May	SB 994-Bernskoetter
SB 955-Walsh	SB 995-Cunningham
SB 956-Onder	SB 996-Onder
SB 957-Sater	SB 997-Bernskoetter
SB 958-Koenig	SB 998-Sifton
SB 959-Sifton	SB 999-Walsh
SB 960-Emery	SB 1000-Onder
SB 961-Emery	SB 1001-Brown
SB 962-Arthur	SB 1002-Rizzo
SB 963-O'Laughlin	SB 1003-White
SB 964-O'Laughlin	SB 1004-Cierpiot
SB 965-O'Laughlin	SB 1005-Schupp
SB 966-O'Laughlin	SB 1006-Hoskins
SB 967-Cierpiot	SB 1007-Burlison
SB 968-Cierpiot	SB 1008-Burlison
SB 969-Riddle	SB 1009-Burlison
SB 970-Rowden	SB 1010-Sater
SB 971-Sater	SB 1011-Williams
SB 972-Wieland	SB 1012-Wieland
SB 973-Wallingford	SB 1013-Wieland
SB 974-Wallingford	SB 1014-Sifton
SB 975-Wallingford	SB 1015-Emery
SB 976-Sater	SB 1016-Crawford
SB 977-Wallingford	SB 1017-Walsh
SB 978-Wallingford	SB 1018-Rizzo
SB 979-Wallingford	SB 1019-Rizzo

SB 1020-Schatz	SB 1041-Schupp
SB 1021-O’Laughlin	SB 1042-Nasheed
SB 1022-O’Laughlin	SB 1043-Emery
SB 1023-O’Laughlin	SB 1044-Crawford
SB 1024-Riddle	SB 1045-Bernskoetter
SB 1025-Emery	SB 1046-Koenig
SB 1026-O’Laughlin	SB 1047-O’Laughlin
SB 1027-O’Laughlin	SB 1048-Burlison
SB 1028-White	SB 1049-Burlison
SB 1029-Sater	SB 1050-Williams
SB 1030-Williams	SB 1051-Eigel
SB 1031-Nasheed	SB 1052-Eigel
SB 1032-Riddle	SB 1053-Eigel
SB 1033-Hegeman	SB 1054-Cierpiot
SB 1034-Cierpiot	SB 1055-Rowden
SB 1035-Emery	SB 1056-Hegeman
SB 1036-White	SB 1057-Hegeman and Luetkemeyer
SB 1037-Walsh	SB 1058-Brown
SB 1038-Wallingford	SB 1059-Hough
SB 1039-Wallingford	SB 1060-Hough
SB 1040-Wallingford	

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 2061-Christofanelli
HCS for HB 1959	HCS for HBs 1387 & 1482
HB 1566-Burnett	HB 1418-McGill
HCS for HB 1434	HB 1486-Rehder
HCS for HB 1488	HCS for HB 1868
HB 1348-Baker	HB 1873-Gregory
HCS for HB 1655	HCS for HB 1696
HB 1640-Taylor	HCS for HB 1787

THIRD READING OF SENATE BILLS

SB 552-Wieland	SCS for SB 617-Cunningham
SCS for SB 689-Emery	(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--|
| 1. SJR 40-Koenig | 13. SBs 673 & 560-Brown, with SCS |
| 2. SB 648-Koenig, with SCS | 14. SB 677-Luetkemeyer |
| 3. SB 664-Burlison | 15. SB 569-Koenig, with SCS |
| 4. SB 587-Bernskoetter | 16. SB 608-May, with SCS |
| 5. SB 558-Schatz, with SCS | 17. SB 632-Hegeman |
| 6. SB 529-Cunningham, with SCS | 18. SB 590-Burlison, with SCS |
| 7. SB 631-Hegeman, with SCS | 19. SB 559-Schatz, with SCS |
| 8. SB 531-Wallingford | 20. SB 583-Arthur, with SCS |
| 9. SB 594-Hough, with SCS | 21. SB 646-Koenig |
| 10. SB 636-Wieland | 22. SBs 675 & 705-Luetkemeyer, with SCS |
| 11. SB 644-Hoskins | 23. SJRs 48, 41 & 43-Luetkemeyer, with SCS |
| 12. SB 718-White, with SCS | 24. SB 699-Riddle, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 523-Sater, with SCS, SS for SCS &
SA 3 (pending) | SB 553-Wieland, with SA 1 (pending) |
| SB 524-Sater | SB 555-Riddle |
| SB 525-Emery, with SCS, SS for SCS &
SA 1 (pending) | SB 557-Schatz, with SCS |
| SB 526-Emery, with SCS | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 581-Cierpiot, with SCS |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 592-White |
| SB 539-Libla, with SA 1 (pending) | SB 618-Wallingford |
| | SB 649-Eigel |
| | SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending) |
| | SJR 32-Sater |

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 30-Schupp

SCR 32-Bernskoetter
SCR 33-May

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SEVENTH DAY—THURSDAY, FEBRUARY 27, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Move our hearts with the calm, smooth flow of your grace. Let the river of your love run through our souls. May my soul be carried by the current of your love, towards the wide, infinite ocean of heaven...” (Gilbert of Hoyland)

Heavenly Father, Your mercy is all about us and Your grace opens our heart with a faith that reaches out to You. Help us remember as recipients of Your generous spirit that we may live as You have taught us. May our drive to be with loved ones be filled with thoughts of what we have been given and return to those who enrich our lives with joy and love. And we ask that You watch our going out and coming in this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Sifton	Wallingford	White	Wieland	Williams—28

Absent—Senators—None

Absent with leave—Senators

May	Schupp	Walsh—3
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cierpiot offered Senate Resolution No. 1280, regarding Joseph M. Yasso, DO, FACOFP, Lee's Summit, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1061—By Libla.

An Act to repeal sections 161.097, 167.268, and 167.645, RSMo, and to enact in lieu thereof four new sections relating to reading intervention in schools, with an effective date for a certain section.

SB 1062—By Nasheed.

An Act to repeal sections 105.711 and 650.058, RSMo, and to enact in lieu thereof three new sections relating to compensation for wrongful conviction.

SB 1063—By O'Laughlin.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to compensation for student athletes.

SB 1064—By O'Laughlin.

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 1065—By O'Laughlin.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to net metering.

SB 1066—By O'Laughlin.

An Act to repeal sections 285.500, 287.020, and 288.034, RSMo, and to enact in lieu thereof three new sections relating to employee classification.

SB 1067—By Sifton.

An Act to repeal section 376.1109, RSMo, and to enact in lieu thereof one new section relating to long-term care insurance.

SB 1068—By Williams.

An Act to repeal sections 43.504, 43.507, and 610.140, RSMo, and to enact in lieu thereof three new sections relating to expungement of records.

SB 1069—By Williams.

An Act to repeal sections 8.051, 178.910, 178.920, 178.931, 178.940, 205.970, 205.972, 205.973, 290.500, and 337.505, RSMo, and to enact in lieu thereof ten new sections relating to persons with disabilities.

SB 1070—By Williams.

An Act to repeal section 211.211, RSMo, and to enact in lieu thereof one new section relating to a

child's right to counsel.

SB 1071—By Williams.

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to instruction in cursive writing.

SB 1072—By Hough.

An Act to repeal sections 287.020, 287.140, and 287.270, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation, with existing penalty provisions.

SB 1073—By Hough.

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to hospital patients in law enforcement custody.

SB 1074—By Hoskins.

An Act to repeal section 379.120, RSMo, and to enact in lieu thereof one new section relating to explanations of refusal to write automobile insurance.

SB 1075—By Emery.

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to school report cards.

Senator Hough assumed the Chair.

SB 1076—By Emery.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to obscene websites, with penalty provisions and a referendum clause.

SB 1077—By Onder.

An Act to repeal sections 488.029, 513.605, 556.046, 556.061, 557.036, 558.019, 558.021, 558.041, 558.046, 559.100, 559.115, 559.117, 565.252, 566.010, 566.030, 566.032, 566.060, 566.062, 566.086, 566.125, 571.070, 575.150, 575.200, 577.010, 589.407, 589.414, and 610.140, RSMo, and to enact in lieu thereof twenty-seven new sections relating to criminal offenses, with penalty provisions.

SB 1078—By Onder.

An Act to repeal sections 193.015, 193.145, 208.152, 334.100, 334.506, 334.613, 334.735, 335.016, 335.019, 335.075, and 335.076, RSMo, and to enact in lieu thereof sixteen new sections relating to advanced practice registered nurses, with penalty provisions.

SB 1079—By Burlison.

An Act to repeal sections 287.170 and 287.180, RSMo, and to enact in lieu thereof two new sections relating to the electronic transfer of workers' compensation benefits.

SB 1080—By Rizzo.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to tax increment

financing.

SB 1081—Rizzo.

An Act to repeal section 137.1018, RSMo, and to enact in lieu thereof one new section relating to a tax credit for certain rolling stock.

SB 1082—By Bernskoetter.

An Act to repeal sections 281.015, 281.020, 281.025, 281.030, 281.035, 281.037, 281.038, 281.040, 281.045, 281.050, 281.055, 281.060, 281.063, 281.065, 281.070, 281.075, 281.085, and 281.101, RSMo, and to enact in lieu thereof nineteen new sections relating to pesticide certification and training, with a delayed effective date.

SB 1083—By Brown.

An Act to repeal sections 517.051, 517.061, 517.071, and 571.091, RSMo, and to enact in lieu thereof five new sections relating to civil procedure.

SB 1084—By Brown.

An Act to repeal sections 71.610 and 71.625, RSMo, and to enact in lieu thereof two new sections relating to license taxes imposed by municipalities.

SB 1085—By Rowden.

An Act to repeal sections 407.924, 407.925, 407.926, 407.927, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof fourteen new sections relating to tobacco products, with penalty provisions and an emergency clause.

SB 1086—By Wieland.

An Act to amend chapter 303, RSMo, by adding thereto four new sections relating to verification of motor vehicle financial responsibility.

SB 1087—By Wieland.

An Act to repeal section 408.512, RSMo, and to enact in lieu thereof one new section relating to traditional installment loan lenders.

SB 1088—By Sater.

An Act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to charitable pharmacies.

THIRD READING OF SENATE BILLS

SB 552, introduced by Senator Wieland, entitled:

An Act to repeal section 105.470, RSMo, and to enact in lieu thereof one new section relating to legislative lobbyists.

Was taken up.

On motion of Senator Wieland, **SB 552** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rowden	Sater	Schatz	Wallingford
White	Wieland—23					

NAYS—Senators

Arthur	Burlison	Rizzo	Sifton—4
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Absent—Senator Williams—1

Absent with leave—Senators

May	Schupp	Walsh—3
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Vacancies—3

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SCS for SB 689, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 689

An Act to repeal sections 337.020, 337.029, and 337.050, RSMo, and to enact in lieu thereof four new sections relating to licensing requirements for certain professionals.

Was taken up by Senator Emery.

On motion of Senator Emery, **SCS for SB 689** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Sifton	Wallingford	White	Wieland—27	

NAYS—Senators—None

Absent—Senator Williams—1

Absent with leave—Senators

May	Schupp	Walsh—3
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Vacancies—3

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Koenig, **SJR 40** was placed on the Informal Calendar.

At the request of Senator Koenig, **SB 648**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Burlison, **SB 664** was placed on the Informal Calendar.

At the request of Senator Bernskoetter, **SB 587** was placed on the Informal Calendar.

At the request of Senator Schatz, **SB 558**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 529**, with **SCS** was placed on the Informal Calendar.

Senator Hegeman moved that **SB 631**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 631

An Act to repeal section 36.155, RSMo, and to enact in lieu thereof one new section relating to the political activity of certain state employees, with an emergency clause.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 631** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **SB 631** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 29**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 31**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SCR 34, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 35**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 591**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Gregory E. Hoberock, Republican, and Robin R. Wenneker, Independent, as members of the University of Missouri Board of Curators;

Also,

Stephen Korte, as a member of the Amber Alert System Oversight Committee;

Also,

John Clark Hemeyer, Democrat, as a member of the State Lottery Commission; and

Philip J. Christofferson, Democrat, as a member of the Truman State University Board of Governors.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SRB 796**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 686**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 774**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Walsh, Chairman of the Committee on Progress and Development, Senator Rizzo submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 544**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 676**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 616**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 725**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator White, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 846**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SCS for SB 617**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hough assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **SS No. 2** for **SCS for SB 591** to the Committee on Fiscal Oversight.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 889—Transportation, Infrastructure and Public Safety.

SB 890—General Laws.

SB 891—Insurance and Banking.

SB 892—Commerce, Consumer Protection, Energy and the Environment.

SB 893—Professional Registration.

SB 895—Health and Pensions.

SB 896—Veterans and Military Affairs.

SB 897—Small Business and Industry.

SB 898—Health and Pensions.

SB 899—Judiciary and Civil and Criminal Jurisprudence.

SB 900—Insurance and Banking.

SB 901—Health and Pensions.

SB 902—Small Business and Industry.

SB 903—Commerce, Consumer Protection, Energy and the Environment.

SB 904—Insurance and Banking.

SB 905—Local Government and Elections.

SB 906—Transportation, Infrastructure and Public Safety.

SB 907—Local Government and Elections.

SB 908—Judiciary and Civil and Criminal Jurisprudence.

SB 909—Seniors, Families and Children.

SB 910—Education.

SB 911—Government Reform.

SB 912—Judiciary and Civil and Criminal Jurisprudence.

SB 913—Government Reform.

SB 914—Insurance and Banking.

SB 915—Insurance and Banking.

SB 916—Insurance and Banking.

SB 917—Health and Pensions.

SB 918—Health and Pensions.

SB 919—Health and Pensions.

SB 920—Judiciary and Civil and Criminal Jurisprudence.

SB 921—Commerce, Consumer Protection, Energy and the Environment.

SB 922—Small Business and Industry.

SB 923—Education.

SB 924—Seniors, Families and Children.

SB 925—Seniors, Families and Children.

SB 926—Commerce, Consumer Protection, Energy and the Environment.

SB 927—Rules, Joint Rules, Resolutions and Ethics.

SB 928—Health and Pensions.

SB 929—Education.

SB 930—Rules, Joint Rules, Resolutions and Ethics.

SB 931—Education.

SB 932—Professional Registration.

SB 933—Professional Registration.

SB 934—Health and Pensions.

SB 935—Insurance and Banking.

SB 936—Appropriations.

SB 937—Commerce, Consumer Protection, Energy and the Environment.

SB 938—Insurance and Banking.

SB 939—Insurance and Banking.

SB 940—Judiciary and Civil and Criminal Jurisprudence.

SB 941—Insurance and Banking.

SB 942—Professional Registration.

SB 943—Health and Pensions.

SB 944—Insurance and Banking.

SB 945—Small Business and Industry.

SB 946—General Laws.

SB 947—General Laws.

SB 948—Local Government and Elections.

SB 949—Professional Registration.

SB 950—Judiciary and Civil and Criminal Jurisprudence.

SB 951—Health and Pensions.

SB 952—Judiciary and Civil and Criminal Jurisprudence.

SB 953—Local Government and Elections.

SB 954—Education.

SB 955—Health and Pensions.

SB 956—Health and Pensions.

RE-REFERRALS

President Pro Tem Schatz re-referred **SB 889** to the Committee on the Judiciary and Civil and Criminal Jurisprudence.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1694**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to hazardous waste sites.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1421**, entitled:

An Act to repeal sections 419.020 and 419.040, RSMo, and to enact in lieu thereof two new sections relating to lodging establishments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1559**, entitled:

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the state minimum wage rate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1289**, entitled:

An Act to repeal sections 589.400, 589.401, 589.404, and 589.414, RSMo, and to enact in lieu thereof four new sections relating to the registration of sexual offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1293**, entitled:

An Act to repeal section 589.414, RSMo, and to enact in lieu thereof one new section relating to a sexual offender's duty to report.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, March 2, 2020.

SENATE CALENDAR

TWENTY-EIGHTH DAY—MONDAY, MARCH 2, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 957-Sater
SB 958-Koenig
SB 959-Sifton
SB 960-Emery
SB 961-Emery
SB 962-Arthur
SB 963-O'Laughlin
SB 964-O'Laughlin

SB 965-O'Laughlin
SB 966-O'Laughlin
SB 967-Cierpiot
SB 968-Cierpiot
SB 969-Riddle
SB 970-Rowden
SB 971-Sater
SB 972-Wieland

SB 973-Wallingford	SB 1014-Sifton
SB 974-Wallingford	SB 1015-Emery
SB 975-Wallingford	SB 1016-Crawford
SB 976-Sater	SB 1017-Walsh
SB 977-Wallingford	SB 1018-Rizzo
SB 978-Wallingford	SB 1019-Rizzo
SB 979-Wallingford	SB 1020-Schatz
SB 980-Nasheed	SB 1021-O’Laughlin
SB 981-Cierpiot	SB 1022-O’Laughlin
SB 982-Cierpiot	SB 1023-O’Laughlin
SB 983-Brown	SB 1024-Riddle
SB 984-Crawford	SB 1025-Emery
SB 985-May	SB 1026-O’Laughlin
SB 986-May	SB 1027-O’Laughlin
SB 987-Williams	SB 1028-White
SB 988-Emery	SB 1029-Sater
SB 989-May	SB 1030-Williams
SB 990-May	SB 1031-Nasheed
SB 991-Walsh	SB 1032-Riddle
SB 992-Burlison	SB 1033-Hegeman
SB 993-Burlison	SB 1034-Cierpiot
SB 994-Bernskoetter	SB 1035-Emery
SB 995-Cunningham	SB 1036-White
SB 996-Onder	SB 1037-Walsh
SB 997-Bernskoetter	SB 1038-Wallingford
SB 998-Sifton	SB 1039-Wallingford
SB 999-Walsh	SB 1040-Wallingford
SB 1000-Onder	SB 1041-Schupp
SB 1001-Brown	SB 1042-Nasheed
SB 1002-Rizzo	SB 1043-Emery
SB 1003-White	SB 1044-Crawford
SB 1004-Cierpiot	SB 1045-Bernskoetter
SB 1005-Schupp	SB 1046-Koenig
SB 1006-Hoskins	SB 1047-O’Laughlin
SB 1007-Burlison	SB 1048-Burlison
SB 1008-Burlison	SB 1049-Burlison
SB 1009-Burlison	SB 1050-Williams
SB 1010-Sater	SB 1051-Eigel
SB 1011-Williams	SB 1052-Eigel
SB 1012-Wieland	SB 1053-Eigel
SB 1013-Wieland	SB 1054-Cierpiot

SB 1055-Rowden	SB 1072-Hough
SB 1056-Hegeman	SB 1073-Hough
SB 1057-Hegeman and Luetkemeyer	SB 1074-Hoskins
SB 1058-Brown	SB 1075-Emery
SB 1059-Hough	SB 1076-Emery
SB 1060-Hough	SB 1077-Onder
SB 1061-Libla	SB 1078-Onder
SB 1062-Nasheed	SB 1079-Burlison
SB 1063-O’Laughlin	SB 1080-Rizzo
SB 1064-O’Laughlin	SB 1081-Rizzo
SB 1065-O’Laughlin	SB 1082-Bernskoetter
SB 1066-O’Laughlin	SB 1083-Brown
SB 1067-Sifton	SB 1084-Brown
SB 1068-Williams	SB 1085-Rowden
SB 1069-Williams	SB 1086-Wieland
SB 1070-Williams	SB 1087-Wieland
SB 1071-Williams	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1486-Rehder
HCS for HB 1959	HCS for HB 1868
HB 1566-Burnett	HB 1873-Gregory
HCS for HB 1434	HCS for HB 1696
HCS for HB 1488	HCS for HB 1787
HB 1348-Baker	HB 1694-Anderson
HCS for HB 1655	HB 1421-Hudson
HB 1640-Taylor	HB 1559-Remole
HB 2061-Christofanelli	HCS for HB 1289
HCS for HBs 1387 & 1482	HCS for HB 1293
HB 1418-McGill	

THIRD READING OF SENATE BILLS

SCS for SB 617-Cunningham	SS#2 for SCS for SB 591-White (In Fiscal Oversight)
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SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|--|
| 1. SB 531-Wallingford | 10. SB 632-Hegeman |
| 2. SB 594-Hough, with SCS | 11. SB 590-Burlison, with SCS |
| 3. SB 636-Wieland | 12. SB 559-Schatz, with SCS |
| 4. SB 644-Hoskins | 13. SB 583-Arthur, with SCS |
| 5. SB 718-White, with SCS | 14. SB 646-Koenig |
| 6. SBs 673 & 560-Brown, with SCS | 15. SBs 675 & 705-Luetkemeyer, with SCS |
| 7. SB 677-Luetkemeyer | 16. SJRs 48, 41 & 43-Luetkemeyer, with SCS |
| 8. SB 569-Koenig, with SCS | 17. SB 699-Riddle, with SCS |
| 9. SB 608-May, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 523-Sater, with SCS, SS for SCS & SA 3
(pending) | SB 557-Schatz, with SCS |
| SB 524-Sater | SB 558-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS & SA 1
(pending) | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 526-Emery, with SCS | SB 581-Cierpiot, with SCS |
| SB 529-Cunningham, with SCS | SB 587-Bernskoetter |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 592-White |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 618-Wallingford |
| SB 539-Libla, with SA 1 (pending) | SB 648-Koenig, with SCS |
| SB 553-Wieland, with SA 1 (pending) | SB 649-Eigel |
| SB 555-Riddle | SB 664-Burlison |
| | SB 670-Hough, with SCS, SS for SCS & SA 1
(pending) |
| | SJR 32-Sater |
| | SJR 40-Koenig |

CONSENT CALENDAR

Senate Bills

Reported 2/13

SB 619-Wallingford

SB 656-Cierpiot

Reported 2/27

SRB 796-Hough
SB 686-Sater
SB 774-Brown
SB 544-Arthur

SB 676-Luetkemeyer
SB 616-Cunningham, with SCS
SB 725-Brown, with SCS
SB 846-Sater

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-EIGHTH DAY—MONDAY, MARCH 2, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the Lord of lords...who alone does great wonders, for his steadfast love endures forever.” (Psalm 136:3-4)

Gracious God, we are thankful for our safe travel this day and the light that warms the day and lightens our path. Help us to use this week to be open to Your teachings and live each day following the path that You have laid out for each of us. And, Lord, we are grateful for those who serve with us so we can do the work that is meant for us to accomplish. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 27, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1281, regarding Kenneth E. Jones, DO, FAOCR, Clinton, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 1282, regarding Stefanina's Pizzeria & Restaurant, O'Fallon, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 1283, regarding Red Robin Gourmet Burgers, Dardenne Prairie, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 1284, regarding The Grotto Grill, Flint Hill, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred SCS for **SB 631**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Schatz assumed the Chair.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS No. 2** for SCS for **SB 591**, begs leave to report that it has considered the same and recommends that the bill, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 714**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 613**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 537**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 572**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 748**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Walsh, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 696**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **SB 595**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **SB 548**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hoskins, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 703**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 605**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 640**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 44**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 647**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 522**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SJR 31**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Cierpiot, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **SB 674**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 661**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator O’Laughlin, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 645**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for SB 617, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 617

An Act to amend chapter 321, RSMo, by adding thereto one new section relating to devices for fire protection districts, with penalty provisions.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS for SB 617** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Riddle	Rizzo	Rowden
SaterSchatz	Schupp	Sifton	Wallingford	Walsh	White	
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SB 591**, introduced by Senator White, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal sections 407.020, 407.025, 510.263, 510.265, 538.205, and 538.210, RSMo, and to enact in lieu thereof eight new sections relating to civil actions, with existing penalty provisions.

Was taken up.

On motion of Senator White, **SS No. 2** for **SCS** for **SB 591** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Riddle	Rowden	Sater	Schatz	Wallingford	White—21

NAYS—Senators

Arthur	May	Nasheed	Rizzo	Schupp	Sifton	Walsh
Wieland	Williams—9					

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—3

The President declared the bill passed.

On motion of Senator White, title to the bill was agreed to.

Senator White moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 619, introduced by Senator Wallingford, entitled:

An Act to repeal section 640.136, RSMo, and to enact in lieu thereof one new section relating to public water fluoridation.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 619** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senator Burlison—1

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 656, introduced by Senator Cierpiot, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the Missouri Korean War veterans memorial.

Was called from the Consent Calendar and taken up.

On motion of Senator Cierpiot, **SB 656** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Cierpiot, title to the bill was agreed to.

Senator Cierpiot moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Burlison moved that **SB 664**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Burlison, **SB 664** was declared perfected and ordered printed.

Senator Bernskoetter moved that **SB 587**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Bernskoetter, **SB 587** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1331**, entitled:

An Act to amend chapter 550, RSMo, by adding thereto one new section relating to change of venue costs for capital cases.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1333**, entitled:

An Act to amend chapter 305, RSMo, by adding thereto six new sections relating to abandoned aircraft.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1683**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the Alzheimer's state plan task force.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1600**, entitled:

An Act to repeal sections 115.357, 115.427, and 115.642, RSMo, and to enact in lieu thereof three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1912**, entitled:

An Act to repeal section 407.1329, RSMo, and to enact in lieu thereof one new section relating to recreation vehicle dealers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

March 2, 2020

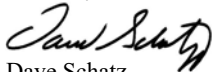
Mrs. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65109

Re: DESE Career and Technical Education Advisory Council

Dear Mrs. Crouse;

I hereby appoint Senator O'Laughlin to fill the senate vacancy on the Department of Elementary and Secondary Education Career and Technical Education Advisory Council.

Sincerely,



Dave Schatz

INTRODUCTION OF GUESTS

The President introduced to the Senate, Mike Carr, Executive Director of the USS Missouri (BB-63), Honolulu.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-NINTH DAY—TUESDAY, MARCH 3, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 957-Sater	SB 991-Walsh
SB 958-Koenig	SB 992-Burlison
SB 959-Sifton	SB 993-Burlison
SB 960-Emery	SB 994-Bernskoetter
SB 961-Emery	SB 995-Cunningham
SB 962-Arthur	SB 996-Onder
SB 963-O’Laughlin	SB 997-Bernskoetter
SB 964-O’Laughlin	SB 998-Sifton
SB 965-O’Laughlin	SB 999-Walsh
SB 966-O’Laughlin	SB 1000-Onder
SB 967-Cierpiot	SB 1001-Brown
SB 968-Cierpiot	SB 1002-Rizzo
SB 969-Riddle	SB 1003-White
SB 970-Rowden	SB 1004-Cierpiot
SB 971-Sater	SB 1005-Schupp
SB 972-Wieland	SB 1006-Hoskins
SB 973-Wallingford	SB 1007-Burlison
SB 974-Wallingford	SB 1008-Burlison
SB 975-Wallingford	SB 1009-Burlison
SB 976-Sater	SB 1010-Sater
SB 977-Wallingford	SB 1011-Williams
SB 978-Wallingford	SB 1012-Wieland
SB 979-Wallingford	SB 1013-Wieland
SB 980-Nasheed	SB 1014-Sifton
SB 981-Cierpiot	SB 1015-Emery
SB 982-Cierpiot	SB 1016-Crawford
SB 983-Brown	SB 1017-Walsh
SB 984-Crawford	SB 1018-Rizzo
SB 985-May	SB 1019-Rizzo
SB 986-May	SB 1020-Schatz
SB 987-Williams	SB 1021-O’Laughlin
SB 988-Emery	SB 1022-O’Laughlin
SB 989-May	SB 1023-O’Laughlin
SB 990-May	SB 1024-Riddle

SB 1025-Emery	SB 1057-Hegeman and Luetkemeyer
SB 1026-O’Laughlin	SB 1058-Brown
SB 1027-O’Laughlin	SB 1059-Hough
SB 1028-White	SB 1060-Hough
SB 1029-Sater	SB 1061-Libla
SB 1030-Williams	SB 1062-Nasheed
SB 1031-Nasheed	SB 1063-O’Laughlin
SB 1032-Riddle	SB 1064-O’Laughlin
SB 1033-Hegeman	SB 1065-O’Laughlin
SB 1034-Cierpiot	SB 1066-O’Laughlin
SB 1035-Emery	SB 1067-Sifton
SB 1036-White	SB 1068-Williams
SB 1037-Walsh	SB 1069-Williams
SB 1038-Wallingford	SB 1070-Williams
SB 1039-Wallingford	SB 1071-Williams
SB 1040-Wallingford	SB 1072-Hough
SB 1041-Schupp	SB 1073-Hough
SB 1042-Nasheed	SB 1074-Hoskins
SB 1043-Emery	SB 1075-Emery
SB 1044-Crawford	SB 1076-Emery
SB 1045-Bernskoetter	SB 1077-Onder
SB 1046-Koenig	SB 1078-Onder
SB 1047-O’Laughlin	SB 1079-Burlison
SB 1048-Burlison	SB 1080-Rizzo
SB 1049-Burlison	SB 1081-Rizzo
SB 1050-Williams	SB 1082-Bernskoetter
SB 1051-Eigel	SB 1083-Brown
SB 1052-Eigel	SB 1084-Brown
SB 1053-Eigel	SB 1085-Rowden
SB 1054-Cierpiot	SB 1086-Wieland
SB 1055-Rowden	SB 1087-Wieland
SB 1056-Hegeman	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 2061-Christofanelli
HCS for HB 1959	HCS for HBs 1387 & 1482
HB 1566-Burnett	HB 1418-McGill
HCS for HB 1434	HB 1486-Rehder
HCS for HB 1488	HCS for HB 1868
HB 1348-Baker	HB 1873-Gregory
HCS for HB 1655	HCS for HB 1696
HB 1640-Taylor	HCS for HB 1787

HB 1694-Anderson	HCS for HB 1331
HB 1421-Hudson	HCS for HB 1333
HB 1559-Remole	HCS for HB 1683
HCS for HB 1289	HCS for HB 1600
HCS for HB 1293	HCS for HB 1912

THIRD READING OF SENATE BILLS

SCS for SB 631-Hegeman

SENATE BILLS FOR PERFECTION

1. SB 531-Wallingford	19. SB 613-Emery, with SCS
2. SB 594-Hough, with SCS	20. SB 537-Libla
3. SB 636-Wieland	21. SB 572-Rowden
4. SB 644-Hoskins	22. SB 748-White
5. SB 718-White, with SCS	23. SB 696-Sifton
6. SBs 673 & 560-Brown, with SCS	24. SB 595-Hough, with SCS
7. SB 677-Luetkemeyer	25. SB 548-Hegeman
8. SB 569-Koenig, with SCS	26. SB 703-Hoskins, with SCS
9. SB 608-May, with SCS	27. SB 605-O'Laughlin, with SCS
10. SB 632-Hegeman	28. SB 640-Onder
11. SB 590-Burlison, with SCS	29. SJR 44-Eigel
12. SB 559-Schatz, with SCS	30. SB 647-Koenig, with SCS
13. SB 583-Arthur, with SCS	31. SB 578-Crawford, with SCS
14. SB 646-Koenig	32. SB 522-Sater
15. SBs 675 & 705-Luetkemeyer, with SCS	33. SJR 31-Sater
16. SJRs 48, 41 & 43-Luetkemeyer, with SCS	34. SB 674-Brown
17. SB 699-Riddle, with SCS	35. SB 661-Bernskoetter, with SCS
18. SB 714-Burlison, with SCS	36. SB 645-Hoskins, with SCS

HOUSE BILLS ON THIRD READING

HB 1693-Rehder (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 523-Sater, with SCS, SS for SCS & SA 3 (pending)	SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)
SB 524-Sater	SB 526-Emery, with SCS

SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 553-Wieland, with SA 1 (pending)
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS

SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 581-Cierpiot, with SCS
SB 592-White
SB 618-Wallingford
SB 648-Koenig, with SCS
SB 649-Eigel
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SJR 32-Sater
SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 2/27

SRB 796-Hough
SB 686-Sater
SB 774-Brown
SB 544-Arthur

SB 676-Luetkemeyer
SB 616-Cunningham, with SCS
SB 725-Brown, with SCS
SB 846-Sater

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-NINTH DAY—TUESDAY, MARCH 3, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“If your actions inspire others to dream more, learn more and become more, you are a leader.” (John Quincy Adams)

Heavenly Father, You have called us here to provide leadership that is needed and requires us to lead others in words and actions that inspire others to become all You have created them to be. So we would ask, Lord, for Your continuing guidance and direction for what is right and helpful for our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1285, regarding Grace Billhartz, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1286, regarding Abigail Mueller, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 1287, regarding Erica Mock, Eureka, which was adopted.

Senator Crawford offered Senate Resolution No. 1288, regarding Allison Bowlin, which was adopted.

Senator Onder offered Senate Resolution No. 1289, regarding Amelia Truong, which was adopted.

Senator Sater offered Senate Resolution No. 1290, regarding David Honeycutt, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1291, regarding the Healthy Schools/Healthy Communities Initiative, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 664** and **SB 587**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SB 587** to the Committee on Fiscal Oversight.

THIRD READING OF SENATE BILLS

SCS for **SB 631**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631**

An Act to repeal section 36.155, RSMo, and to enact in lieu thereof one new section relating to the political activity of certain state employees, with an emergency clause.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **SCS** for **SB 631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 523**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Sater, **SS** for **SCS** for **SB 523** was withdrawn, rendering **SA 3** moot.

Senator Sater offered **SS No. 2** for **SCS** for **SB 523**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 523

An Act to repeal sections 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to

enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

Senator Sater moved that **SS No. 2** for **SCS** for **SB 523** be adopted.

Senator May offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 523, Page 50, Section 195.805, Line 8, by inserting after all of said line the following:

“3. Each individual candy containing any amount of tetrahydrocannabinols (THC) shall be stamped or otherwise labeled with a diamond containing the letters “THC” and the number of milligrams of THC in that candy.”; and

Further renumber the remaining subsection accordingly.

Senator May moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

Senator Hoskins offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 523, Page 50, Section 195.805, Line 8, by inserting after all of said line the following:

“3. Each individually wrapped edible marijuana-infused product containing any amount of tetrahydrocannabinols (THC) shall be stamped or the package or wrapping otherwise labeled with a diamond containing the letters “THC” and the number of milligrams of THC in that individually wrapped product.”; and

Further renumber the remaining subsection accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS No. 2** for **SCS** for **SB 523**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS No. 2** for **SCS** for **SB 523**, as amended, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 618**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 618**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 618

An Act to repeal sections 393.1009 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to an infrastructure system replacement surcharge for gas corporations.

Senator Wallingford moved that **SS** for **SB 618** be adopted.

President Kehoe assumed the Chair.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 618, Page 1, Section 393.1009, Line 13 of said page, by inserting after “effective ISRS” the following: “, **less the net plant value of any retired assets**”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 618, Page 6, Section 393.1012, Line 23, by inserting after all of said line the following:

“**Section 1. The provisions of sections 393.1009 to 393.1015 shall expire on August 28, 2026.**”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Schupp the above amendment was withdrawn.

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 618, Page 1, Section 393.1009, Line 13 of said page, by inserting after “effective ISRS” the following:

”, **less the net plant value of any retired assets**”; and

Further amend said bill, page 6, section 393.1012, line 23 by inserting immediately after said line the following:

“393.1015. 1. (1) At the time that a gas corporation files a petition with the commission seeking to establish or change an ISRS, it shall submit proposed ISRS rate schedules and its supporting documentation regarding the calculation of the proposed ISRS with the petition, and shall serve the office of the public counsel with a copy of its petition, its proposed rate schedules, and its supporting documentation.

(2) Upon the filing of a petition, and any associated rate schedules, seeking to establish or change an ISRS, the commission shall publish notice of the filing.

2. (1) When a petition, along with any associated proposed rate schedules, is filed pursuant to the provisions of sections 393.1009 to 393.1015, the commission shall conduct an examination of the proposed ISRS.

(2) The staff of the commission may examine information of the gas corporation to confirm that the underlying costs are in accordance with the provisions of sections 393.1009 to 393.1015, and to confirm proper calculation of the proposed charge, and may submit a report regarding its examination to the commission not later than sixty days after the petition is filed. No other revenue requirement or ratemaking issues may be examined in consideration of the petition or associated proposed rate schedules filed pursuant to the provisions of sections 393.1009 to 393.1015.

(3) The commission may hold a hearing on the petition and any associated rate schedules and shall issue

an order to become effective not later than one hundred twenty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1009 to 393.1015, the commission shall enter an order authorizing the corporation to impose an ISRS that is sufficient to recover appropriate pretax revenue, as determined by the commission pursuant to the provisions of sections 393.1009 to 393.1015.

3. A gas corporation may effectuate a change in its rate pursuant to the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate pretax revenue, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The gas corporation's actual regulatory capital structure as determined during the most recent general rate proceeding of the gas corporation;

(3) The actual cost rates for the gas corporation's debt and preferred stock as determined during the most recent general rate proceeding of the gas corporation;

(4) The gas corporation's cost of common equity as determined during the most recent general rate proceeding of the gas corporation;

(5) The current property tax rate or rates applicable to the eligible infrastructure system replacements;

(6) The current depreciation rates applicable to the eligible infrastructure system replacements; and

(7) In the event information pursuant to subdivisions (2), (3), and (4) of this subsection is unavailable and the commission is not provided with such information on an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of the gas corporation and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly ISRS charge may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate pretax revenues by the customer numbers reported by the gas corporation in the annual report it most recently filed with the commission pursuant to subdivision (6) of section 393.140, and then further dividing this quotient by twelve. Provided, however, that the monthly ISRS may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the gas corporation so long as the monthly ISRS for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge for each customer class.

(2) At the end of each twelve-month calendar period the ISRS is in effect, the gas corporation shall reconcile the differences between the revenues resulting from an ISRS and the appropriate pretax revenues as found by the commission for that period and shall submit the reconciliation and a proposed ISRS adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments of an ISRS charge.

6. (1) A gas corporation that has implemented an ISRS pursuant to the provisions of sections 393.1009

to 393.1015 shall file revised rate schedules to reset the ISRS to zero when new base rates and charges become effective for the gas corporation following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in an ISRS.

(2) Upon the inclusion in a gas corporation's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in an ISRS, the gas corporation shall immediately thereafter reconcile any previously unreconciled ISRS revenues as necessary to ensure that revenues resulting from the ISRS match as closely as possible the appropriate pretax revenues as found by the commission for that period.

7. A gas corporation's filing of a petition or change to an ISRS pursuant to the provisions of sections 393.1009 to 393.1015 shall not be considered a request for a general increase in the gas corporation's base rates and charges.

8. Commission approval of a petition, and any associated rate schedules, to establish or change an ISRS pursuant to the provisions of sections 393.1009 to 393.1015 shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to eligible infrastructure system replacements during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of costs associated with eligible infrastructure system replacements previously included in an ISRS, the gas corporation shall offset its ISRS in the future as necessary to recognize and account for any such overcollections.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider infrastructure system replacement costs along with other costs during any general rate proceeding of any gas corporation.

10. Nothing contained in sections 393.1009 to 393.1015 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of a gas corporation, including review of the prudence of eligible infrastructure system replacements made by a gas corporation, pursuant to the provisions of section 386.390.

11. The commission shall have authority to promulgate rules for the implementation of sections 393.1009 to 393.1015, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of sections 393.1009 to 393.1015. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

12. Any gas corporation whose ISRS is found by a court of competent jurisdiction to include illegal and inappropriate charges shall refund every current customer of the gas corporation who paid such charges, before the gas corporation can file for a new ISRS.

Section 1. The provisions of sections 393.1009 to 393.1015 shall expire on August 28, 2029.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 618, Page 1, In the Title, Lines 3-4 , by striking the words “an infrastructure system replacement surcharge for”; and

Further amend said bill, Page 6, Section 393.1012, Line 23 of said page, by inserting after all of said line the following:

“Section 1. As part of the gas corporation’s first general rate proceeding after June 1, 2020, each gas corporation regulated by the public service commission shall submit an evaluation, plan, or tariff regarding the utilization of renewable natural gas. Plans may address any or all of the following: renewable natural gas opportunities, renewable natural gas infrastructure, customer benefits, emission offsets, ratemaking mechanisms and tariff design, renewable natural gas green attributes and market structure, and any other items deemed relevant by the petitioning gas corporation.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SS for SB 618**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS for SB 618**, as amended, was declared perfected and ordered printed.

At the request of Senator Wallingford, **SB 531** was placed on the Informal Calendar.

At the request of Senator Hough, **SB 594**, with **SCS** was placed on the Informal Calendar.

SB 636 was placed on the Informal Calendar.

Senator Hoskins moved that **SB 644** be taken up for perfection, which motion prevailed.

Senator Hoskins offered **SS for SB 644**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 644

An Act to repeal sections 209.150, 209.200, and 209.204, RSMo, and to enact in lieu thereof three new sections relating to service animals, with penalty provisions.

Senator Hoskins moved that **SS for SB 644** be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS for SB 644**, was declared perfected and ordered printed.

Senator White moved that **SB 718**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 718, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 718

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, and 210.150, RSMo, and to enact in lieu thereof eight new sections relating to military affairs, with an existing penalty provision.

Was taken up.

Senator White moved that **SCS** for **SB 718** be adopted.

Senator White offered **SS** for **SCS** for **SB 718**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 718

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, 210.150, and 379.122, RSMo, and to enact in lieu thereof nine new sections relating to military affairs, with an existing penalty provision.

Senator White moved that **SS** for **SCS** for **SB 718** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 39, Section 379.122, Line 5 of said page, by inserting after all of said line the following:

“620.2005. 1. As used in sections 620.2000 to 620.2010, the following terms mean:

(1) “Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) “Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;

(3) “Contractor”, a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who

routinely performed job duties within Missouri;

(9) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(10) “Industrial development authority”, an industrial development authority organized under chapter 349 that has entered into a formal written memorandum of understanding with an entity of the United States Department of Defense regarding a qualified military project;

(11) “Infrastructure projects”, highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;

(12) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(13) “Manufacturing capital investment”, expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) “Memorandum of understanding”, an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

- a. The maximum amount of tax credits authorized; or
- b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(18) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(19) “New payroll”, the amount of wages paid for all new jobs, located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(20) “New product”, a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

(21) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program. The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(23) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(24) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at

which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term “project facility” means the military base or installation at which such qualified military project is or shall be located;

(25) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) “Project facility base payroll”, the annualized payroll for the project facility base employment or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its

intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

(k) Biodiesel production; or

(l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(30) “Qualified manufacturing company”, a company that:

(a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);

(b) Manufactures goods at a facility in Missouri;

(c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) “Qualified military project”, the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more **part-time or full-time** military or civilian support personnel:

a. Whose average salaries equal or exceed ninety percent of the county average wage; and

b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit;

(32) “Related company”, shall mean:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:
 - a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;
 - b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;
 - c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(35) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld

and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection or a qualified manufacturing company under subsection 3 of this section, the department shall consider the following factors:

(1) The significance of the qualified company's need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

(7) The percent of local incentives committed.

3. (1) The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars not more than three years following the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the department's approval of

the original notice of intent.

(2) The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

(3) If, at the project facility at any time during the project period, the qualified manufacturing company discontinues the manufacturing of the new product, or discontinues the modification or expansion of an existing product, and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product, the company shall immediately cease receiving any benefit awarded under this subsection for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this subsection for the remainder of such period.

(4) Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital improvement that qualified for benefits under this section. The provisions of subsection 5 of section 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this section.

4. Upon approval of a notice of intent to receive tax credits under subsection 2, 3, 6, or 7 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment, or the manufacturing capital investment and committed percentage of retained jobs for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department;

(4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under subsection 7 of this section; and

(5) Any other provisions the department may require.

5. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs

were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

6. In addition to the benefits available under subsection 5 of this section, the department may award a qualified company that satisfies the provisions of subsection 5 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

7. In lieu of the benefits available under subsections 1, 2, 5, and 6 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs and new capital investment created by the program, the department may award a qualified company that satisfies the provisions of subdivision (1) of subsection 1 of this section tax credits, issued within one year following the qualified company's acceptance of the department's proposal for benefits, in an amount equal to or less than nine percent of new payroll. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section and the qualified company's commitment to new capital investment and new job creation within the state for a period of not less than ten years. For the purposes of this subsection, each qualified company shall have an average wage of the new payroll that equals or exceeds one hundred percent of the county average wage. Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall expire on June 30, 2025.

8. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment or manufacturing capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first.

9. In lieu of any other benefits under this chapter, the department of economic development may award a tax credit to an industrial development authority for a qualified military project in an amount equal to the estimated withholding taxes associated with the **part-time and full-time** civilian and military new jobs located at the facility and directly impacted by the project. The amount of the tax credit shall be calculated

by multiplying:

- (1) The average percentage of tax withheld, as provided by the department of revenue to the department of economic development;
- (2) The average salaries of the jobs directly created by the qualified military project; and
- (3) The number of jobs directly created by the qualified military project.

If the amount of the tax credit represents the least amount necessary to accomplish the qualified military project, the tax credits may be issued, but no tax credits shall be issued for a term longer than fifteen years. No qualified military project shall be eligible for tax credits under this subsection unless the department of economic development determines the qualified military project shall achieve a net positive fiscal impact to the state.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Eigel offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 1, In the Title, Line 5 of the title, by inserting after “provision” the following: “and a contingent effective date for certain sections”; and

Further amend said bill, Page 2, Section 27.115, Line 14 of said page, by inserting after all of said line the following:

“41.035. 1. There is hereby created and established as a department of state government, the “Department of Military Forces” headed by the adjutant general as provided in Article IV of the Constitution of Missouri, and this chapter and other chapters. The department of military forces shall administer the militia and programs of the state relating to military forces.

2. The office of adjutant general and the state militia are hereby transferred to the department of military forces by a type I transfer as defined in section 1 of the Omnibus State Reorganization Act of 1974.

3. Nothing herein shall be construed to interfere with the powers and duties of the governor provided in Article IV, Section 6 of the Constitution of Missouri or this chapter.

4. Rules necessary to administer and implement this section may be established by the department. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act shall be invalid and void.”; and

Further amend said bill, Page 39, Section 379.122, Line 5 of said page, by inserting after all of said line the following:

“650.005. 1. There is hereby created a “Department of Public Safety” in charge of a director appointed by the governor with the advice and consent of the senate. The department’s role will be to provide overall coordination in the state’s public safety and law enforcement program, to provide channels of coordination with local and federal agencies in regard to public safety, law enforcement and with all correctional and judicial agencies in regard to matters pertaining to its responsibilities as they may interrelate with the other agencies or offices of state, local or federal governments.

2. All the powers, duties and functions of the state highway patrol, chapter 43 and others, are transferred by type II transfer to the department of public safety. The governor by and with the advice and consent of the senate shall appoint the superintendent of the patrol. With the exception of sections 43.100 to 43.120 relating to financial procedures, the director of public safety shall succeed the state highways and transportation commission in approving actions of the superintendent and related matters as provided in chapter 43. Uniformed members of the patrol shall be selected in the manner provided by law and shall receive the compensation provided by law. Nothing in the Reorganization Act of 1974, however, shall be interpreted to affect the funding of appropriations or the operation of chapter 104 relating to retirement system coverage or section 226.160 relating to workers’ compensation for members of the patrol.

3. All the powers, duties and functions of the supervisor of liquor control, chapter 311 and others, are transferred by type II transfer to the department of public safety. The supervisor shall be nominated by the department director and appointed by the governor with the advice and consent of the senate. The supervisor shall appoint such agents, assistants, deputies and inspectors as limited by appropriations. All employees shall have the qualifications provided by law and may be removed by the supervisor or director of the department as provided in section 311.670.

4. All the powers, duties and functions of the safety and fire prevention bureau of the department of public health and welfare are transferred by type I transfer to the director of public safety.

5. All the powers, duties and functions of the state fire marshal, chapter 320 and others, are transferred to the department of public safety by a type I transfer.

6. All the powers, duties and functions of the law enforcement assistance council administering federal grants, planning and the like relating to Public Laws 90-351, 90-445 and related acts of Congress are transferred by type I transfer to the director of public safety. The director of public safety shall appoint such advisory bodies as are required by federal laws or regulations. The council is abolished.

7. The director of public safety shall promulgate motor vehicle regulations and be ex officio a member of the safety compact commission in place of the director of revenue and all powers, duties and functions relating to chapter 307 are transferred by type I transfer to the director of public safety.

8. [The office of adjutant general and the state militia are assigned to the department of public safety; provided, however, nothing herein shall be construed to interfere with the powers and duties of the governor as provided in Article IV, Section 6 of the Constitution of the state of Missouri or chapter 41.

9.] All the powers, duties and functions of the Missouri boat commission, chapter 306 and others, are transferred by type I transfer to the “Missouri State Water Patrol”, which is hereby created, in the department of public safety. The Missouri boat commission and the office of secretary to the commission are abolished. All deputy boat commissioners and all other employees of the commission who were employed on February 1, 1974, shall be transferred to the water patrol without further qualification. Effective January 1, 2011, all the powers, duties, and functions of the Missouri state water patrol are

transferred to the division of water patrol within the Missouri state highway patrol as set out in section 43.390.

[10.] **9.** The Missouri veterans’s commission, chapter 42, is assigned to the department of public safety.

[11.] **10.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

Section B. The enactment of section 41.035 and the repeal and reenactment of section 650.005 of this act shall become effective only upon approval by the voters of an amendment to article IV of the Constitution of Missouri that establishes the department of military forces.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 2, Section 27.115, Line 14 of said page, by inserting after all of said line the following:

“36.020. Unless the context clearly requires otherwise, the following terms mean:

(1) “Agency”, “state agency” or “agency of the state”, each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;

(2) “Appointing authority”, an officer or agency subject to this chapter having power to make appointments;

(3) “Board”, the personnel advisory board as established by section 36.050;

(4) “Broad classification band”, a grouping of positions with similar levels of responsibility or expertise;

(5) “Class”, “class of positions”, or “job class”, a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;

(6) “Director”, the director of the division of personnel of the office of administration;

(7) “Disabled veteran”, a veteran who has served on active duty in the Armed Forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran’s affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a National Guard veteran who was permanently disabled as a result of active service to the state at the call of the governor;

(8) “Division of service” or “division”, a state department or any division or branch of the state, or any agency of the state government, all the positions and employees in which are under the same appointing

authority;

(9) “Eleemosynary or penal institutions”, an institution within state government holding, housing, or caring for inmates, patients, veterans, juveniles, or other individuals entrusted to or assigned to the state where it is anticipated that such individuals will be in residence for longer than one day. Eleemosynary or penal institutions shall not include elementary, secondary, or higher education institutions operated separately or independently from the foregoing institutions;

(10) “Eligible”, a person whose name is on a register or who has been determined to meet the qualifications for a class or position;

(11) “Employee”, shall include only those persons employed in excess of thirty-two hours per calendar week, for a duration that could exceed six months, by a state agency and shall not include patients, inmates, or residents in state eleemosynary or penal institutions who work for the state agency operating an eleemosynary or penal institutions;

(12) “Examination” or “competitive examination”, a means of determining eligibility or fitness for a class or position;

(13) “Open competitive examination”, a selection process for positions in a particular class, admission to which is not limited to persons employed in positions subject to this chapter pursuant to subsection 1 of section 36.030;

(14) “Promotional examination”, a selection process for positions in a particular class, admission to which is limited to employees with regular status in positions subject to this chapter pursuant to subsection 1 of section 36.030;

(15) “Register of eligibles”, a list, which may be restricted by locality, of persons who have been found qualified for appointment to a position subject to this chapter pursuant to subsection 1 of section 36.030;

(16) “Regular employee”, a person employed in a position described under subdivision (2) of subsection 1 of section 36.030 who has successfully completed a probationary period as provided in section 36.250;

(17) “State equal employment opportunity officer”, the individual designated by the governor or the commissioner of administration as having responsibility for monitoring the compliance of the state as an employer with applicable equal employment opportunity law and regulation and for leadership in efforts to establish a state workforce which reflects the diversity of Missouri citizens at all levels of employment;

(18) “Surviving spouse”, the unmarried surviving spouse of a deceased disabled veteran or the unmarried [survivor’s] **surviving** spouse of any person who was killed while on active duty in the Armed Forces of the United States or an unmarried surviving spouse of a National Guard veteran who was killed as a result of active service to the state at the call of the governor;

(19) “Veteran”, any person who is a citizen of this state who has been separated under honorable conditions from the Armed Forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or National Guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President and participated in any campaign or expedition for which a campaign badge or service medal has been authorized.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator White moved that **SS** for **SCS** for **SB 718**, as amended, be adopted, which motion prevailed.

On motion of Senator White, **SS** for **SCS** for **SB 718**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 673** and **SB 560**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 673** and **560**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 673 and 560

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity.

Was taken up.

Senator Brown moved that **SCS** for **SBs 673** and **560** be adopted, which motion prevailed.

On motion of Senator Brown **SCS** for **SBs 673** and **560**, was declared perfected and ordered printed.

COMMUNICATIONS

Senator Walsh submitted the following:


March 3, 2020

Adriane Crouse – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Adriane:

It has been my great pleasure to serve as the minority floor leader. As you know, with the term limits that are imposed on members of the General Assembly, there is a constant need to ensure that new leaders emerge. Because of that, please consider this correspondence to be my resignation from the role of minority floor leader effective immediately. I will continue to serve out the remainder of my term representing the people of the 13th District in the Senate.

The practice, tradition and custom of the Democratic caucus has been that when the role of minority floor leader becomes vacant, the assistant floor leader ascends to the position. This happened when Ken Jacob resigned from the Senate in 2004 and Maida Coleman ascended to the role. It also happened in 2016 when Joe Keaveny resigned from the Senate and I ascended to the role. Because of this practice, tradition and custom, Senator John Rizzo will now serve as minority floor leader. He is an intelligent and successful public servant and I anticipate he will be a fantastic leader for our caucus.

Sincerely,

Gina Walsh

Also,

Senators Burlison, Eigel, Hoskins, Koenig, O'Laughlin and Onder submitted the following:

March 2, 2020

Adriane Crouse
Secretary of the Senate
Room 325

Dear Madam Secretary,

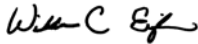
We the undersigned Senators in accordance with the provisions of Rule 45 respectfully request SRB 796 authored by Senator Hough be

removed from the Senate Consent Calendar.

Sincerely,



Eric Burlison



William Eigel



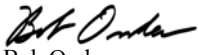
Denny Hoskins



Andrew Koenig



Cindy O'Laughlin



Bob Onder

President Pro Tem Schatz submitted the following:

March 3, 2020

Mrs. Adriane Crouse

State Capitol, Room 325

Jefferson City, MO 65109

Re: Missouri Health Facilities Review Committee

Dear Mrs. Crouse:

I hereby appoint Senator Walsh to fill the senate vacancy on the Missouri Health Facilities Review Committee.

Sincerely,



Dave Schatz

RESOLUTIONS

Senator Hough offered Senate Resolution No. 1292, regarding Mary Margaret Hughes, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1293, regarding Alanna Bryson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1294, regarding Scott Hurt, Piedmont, which was adopted.

Senator Wallingford offered Senate Resolution No. 1295, regarding Allie Ladwig, which was adopted.

Senator Riddle offered Senate Resolution No. 1296, regarding Woodrow Wilson Boulware, Hatton, which was adopted.

Senator Crawford offered Senate Resolution No. 1297, regarding Lydia Williams, which was adopted.

Senators Williams and Arthur offered Senate Resolution No. 1298, regarding Michelle Sall, Kansas City, which was adopted.

Senators Williams and Wallingford offered Senate Resolution No. 1299, regarding Breawna Austin,

Cape Girardeau, which was adopted.

Senators Williams and Rowden offered Senate Resolution No. 1300, regarding Nia Neville, Columbia, which was adopted.

INTRODUCTION OF GUESTS

Senator White introduced to the Senate, his wife, Dr. Ellen Nichols, Joplin; and representatives of the Missouri State Medical Association.

Senator Hegeman introduced to the Senate, Heather McNeely, Kathy Spero and Danielle Overly, Missouri State Medical Association; and Robert Gibson and Kim Ireland, Tiffany Care Centers, Mound City.

Senator Schupp introduced to the Senate, Dr. Jo-Ellyn Ryall, Dr. George Hruza, Dr. Edmond Cabbabe, Rima Cabbabe, Dr. Samer Cabbabe, Amanda Blecha and Dr. Lisa Alderson, representatives of the Missouri Psychiatric Physicians Association and the Missouri State Medical Association.

Senator Cunningham introduced to the Senate, Chris Harlin, Bill Trivitt, Rick Donley and Corey Hillhouse, Century Bank of the Ozarks.

Senator Wieland introduced to the Senate, Jaycee Foeller and Landon Porter, De Soto High School.

Senator Eigel introduced to the Senate, Seth Peimann, Jacki Pudlowski, Adam Coggin, Larry Howdeshell and Crystal McKellips, Missouri Healthcare Association.

Senator Burlison introduced to the Senate, Valerie Gustin, Jan Kraft, Dave Dunn and Daniel Good, Springfield.

Senator Cierpiot introduced to the Senate, Lynette M. Wheeler and Dana Davis, Truman Medical Center.

Senator Walsh introduced to the Senate, Casey Anderson, Jarrett Berhorst, Kole Bockledeg, Dalton Forck, Robert Gilbert, Clayton Libbert, Daniel Meier, Robert Welch, Mike Wolfe, Russ Unger, Ted Ramsdell and Ryan Gibson, representatives of the Missouri Coalition for Fair Competition.

Senator Schupp introduced to the Senate, Anastasha Anderson, and her children, Reuben, Heidi, Briella and Kaisa, Homeschoolers from Bridgeton.

Senator Cunningham introduced to the Senate, Sheila Marlin, and her daughter, Kyla, Marshfield.

Senator Williams introduced to the Senate, Rori Picker Neiss, University City; Dawn Buckley, Kirkwood; Christine, Corey and Elise Hyman, St. Charles; and Susan Halla, St. Louis.

Senator Eigel introduced to the Senate, Brent Holtgrewe, Missouri Athletic Trainers Association.

Senator White introduced to the Senate, Kailee, Gracie, Brynlee, Mollie, Kaden and Adalie Bach; and Allison and Hunter Downey, Homeschoolers from Greenfield.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTIETH DAY—WEDNESDAY, MARCH 4, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 957-Sater	SB 992-Burlison
SB 958-Koenig	SB 993-Burlison
SB 959-Sifton	SB 994-Bernskoetter
SB 960-Emery	SB 995-Cunningham
SB 961-Emery	SB 996-Onder
SB 962-Arthur	SB 997-Bernskoetter
SB 963-O’Laughlin	SB 998-Sifton
SB 964-O’Laughlin	SB 999-Walsh
SB 965-O’Laughlin	SB 1000-Onder
SB 966-O’Laughlin	SB 1001-Brown
SB 967-Cierpiot	SB 1002-Rizzo
SB 968-Cierpiot	SB 1003-White
SB 969-Riddle	SB 1004-Cierpiot
SB 970-Rowden	SB 1005-Schupp
SB 971-Sater	SB 1006-Hoskins
SB 972-Wieland	SB 1007-Burlison
SB 973-Wallingford	SB 1008-Burlison
SB 974-Wallingford	SB 1009-Burlison
SB 975-Wallingford	SB 1010-Sater
SB 976-Sater	SB 1011-Williams
SB 977-Wallingford	SB 1012-Wieland
SB 978-Wallingford	SB 1013-Wieland
SB 979-Wallingford	SB 1014-Sifton
SB 980-Nasheed	SB 1015-Emery
SB 981-Cierpiot	SB 1016-Crawford
SB 982-Cierpiot	SB 1017-Walsh
SB 983-Brown	SB 1018-Rizzo
SB 984-Crawford	SB 1019-Rizzo
SB 985-May	SB 1020-Schatz
SB 986-May	SB 1021-O’Laughlin
SB 987-Williams	SB 1022-O’Laughlin
SB 988-Emery	SB 1023-O’Laughlin
SB 989-May	SB 1024-Riddle
SB 990-May	SB 1025-Emery
SB 991-Walsh	SB 1026-O’Laughlin

SB 1027-O’Laughlin	SB 1058-Brown
SB 1028-White	SB 1059-Hough
SB 1029-Sater	SB 1060-Hough
SB 1030-Williams	SB 1061-Libla
SB 1031-Nasheed	SB 1062-Nasheed
SB 1032-Riddle	SB 1063-O’Laughlin
SB 1033-Hegeman	SB 1064-O’Laughlin
SB 1034-Cierpiot	SB 1065-O’Laughlin
SB 1035-Emery	SB 1066-O’Laughlin
SB 1036-White	SB 1067-Sifton
SB 1037-Walsh	SB 1068-Williams
SB 1038-Wallingford	SB 1069-Williams
SB 1039-Wallingford	SB 1070-Williams
SB 1040-Wallingford	SB 1071-Williams
SB 1041-Schupp	SB 1072-Hough
SB 1042-Nasheed	SB 1073-Hough
SB 1043-Emery	SB 1074-Hoskins
SB 1044-Crawford	SB 1075-Emery
SB 1045-Bernskoetter	SB 1076-Emery
SB 1046-Koenig	SB 1077-Onder
SB 1047-O’Laughlin	SB 1078-Onder
SB 1048-Burlison	SB 1079-Burlison
SB 1049-Burlison	SB 1080-Rizzo
SB 1050-Williams	SB 1081-Rizzo
SB 1051-Eigel	SB 1082-Bernskoetter
SB 1052-Eigel	SB 1083-Brown
SB 1053-Eigel	SB 1084-Brown
SB 1054-Cierpiot	SB 1085-Rowden
SB 1055-Rowden	SB 1086-Wieland
SB 1056-Hegeman	SB 1087-Wieland
SB 1057-Hegeman and Luetkemeyer	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1418-McGill
HCS for HB 1959	HB 1486-Rehder
HB 1566-Burnett	HCS for HB 1868
HCS for HB 1434	HB 1873-Gregory
HCS for HB 1488	HCS for HB 1696
HB 1348-Baker	HCS for HB 1787
HCS for HB 1655	HB 1694-Anderson
HB 1640-Taylor	HB 1421-Hudson
HB 2061-Christofanelli	HB 1559-Remole
HCS for HBs 1387 & 1482	HCS for HB 1289

HCS for HB 1293
HCS for HB 1331
HCS for HB 1333

HCS for HB 1683
HCS for HB 1600
HCS for HB 1912

THIRD READING OF SENATE BILLS

SB 664-Burlison

SB 587-Bernskoetter (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 677-Luetkemeyer
2. SB 569-Koenig, with SCS
3. SB 608-May, with SCS
4. SB 632-Hegeman
5. SB 590-Burlison, with SCS
6. SB 559-Schatz, with SCS
7. SB 583-Arthur, with SCS
8. SB 646-Koenig
9. SBs 675 & 705-Luetkemeyer, with SCS
10. SJRs 48, 41 & 43-Luetkemeyer, with SCS
11. SB 699-Riddle, with SCS
12. SB 714-Burlison, with SCS
13. SB 613-Emery, with SCS
14. SB 537-Libla
15. SB 572-Rowden

16. SB 748-White
17. SB 696-Sifton
18. SB 595-Hough, with SCS
19. SB 548-Hegeman
20. SB 703-Hoskins, with SCS
21. SB 605-O'Laughlin, with SCS
22. SB 640-Onder
23. SJR 44-Eigel
24. SB 647-Koenig, with SCS
25. SB 578-Crawford, with SCS
26. SB 522-Sater
27. SJR 31-Sater
28. SB 674-Brown
29. SB 661-Bernskoetter, with SCS
30. SB 645-Hoskins, with SCS

HOUSE BILLS ON THIRD READING

HB 1693-Rehder (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford

SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 553-Wieland, with SA 1 (pending)
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 575-Eigel, with SS#2 & SA 2 (pending)

SB 581-Cierpiot, with SCS
SB 592-White
SB 594-Hough, with SCS
SB 636-Wieland
SB 648-Koenig, with SCS

SB 649-Eigel
SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending)
SJR 32-Sater
SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 686-Sater
SB 774-Brown
SB 544-Arthur
SB 676-Luetkemeyer

SB 616-Cunningham, with SCS
SB 725-Brown, with SCS
SB 846-Sater

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTIETH DAY—WEDNESDAY, MARCH 4, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Reverend Carl Gauck offered the following prayer:

“Abram believed the Lord; and the Lord reckoned it to him as righteousness.” (Genesis 15:6)

Loving God, we are grateful for Your words for they provide us hope and because of them we never doubt that You are good and Your word holds the promise that all You have said will be accomplished through those who trust and believe in You. We ask that we may be those whom You have set aside to bring Your vision for us into reality. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator May offered Senate Resolution No. 1301, regarding James McGee, Kansas City, which was adopted.

Senator May offered Senate Resolution No. 1302, regarding Yeshemibet Menen, Columbia, which was adopted.

Senator Wallingford offered Senate Resolution No. 1303, regarding Victor Gunn, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 1304, regarding Ella Valleroy, Cape Girardeau, which was adopted.

Senator Williams offered Senate Resolution No. 1305, regarding Meagan Murray, which was adopted.

Senator Rowden offered Senate Resolution No. 1306, regarding Annie Jurgensmeyer, Overland Park, Kansas, which was adopted.

Senator Rowden offered Senate Resolution No. 1307, regarding Morgan Banker, Columbia, which was adopted.

Senator May offered the following concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION NO. 45

Whereas, Missouri was part of the 1803 Louisiana Purchase and became a state in 1821; and

Whereas, the terms of Missouri's statehood included that Missouri would be the only state north of the Mason-Dixon line that was a slave state; and

Whereas, the tensions in the nation regarding racial equality, or lack thereof, have played out in profound ways in the state of Missouri; and

Whereas, St. Louis, being situated on the Mississippi River, was uniquely positioned to be a destination for the slave trade; and

Whereas, tensions of human inequality are profoundly apparent in the history of the state; and

Whereas, when persons with African ancestry in Missouri sued for their freedom, such freedom was routinely granted; and

Whereas, the tension in the nation over the issue of slavery and human inequality resulted in Dred and Harriet Scott, persons with African ancestry, being denied freedom in this state in a decision by the Missouri Supreme Court on March 22, 1852, and such decision was affirmed by the United States Supreme Court on March 6, 1857; and

Whereas, the March 22, 1852, Dred Scott decision is a negative legacy for this state and antithetical to the nation's founding values, specifically the tenet that all men are created equal; and

Whereas, the Dred Scott decision's assertion that people of African ancestry "had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit" was an expression of racism and a precursor to Jim Crow laws, which perpetrated over a century of injustice; and

Whereas, all political power is vested in and derived from the people; and

Whereas, all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole; and

Whereas, all constitutional government is intended to promote the general welfare of all people; and

Whereas, all persons have a natural right to life, liberty, and the pursuit of happiness; and

Whereas, no person shall be deprived of life, liberty, or property without the due process of law; and

Whereas, all human beings are created equal and are entitled to equal rights and opportunity under the law; and

Whereas, Missouri will never again deny legal protection to a class of human beings on the grounds that they are less than human; and

Whereas, it is time to draw a line between Missouri's history, which encompassed such inhumane and unfair treatment to our citizens, and the present and future Missouri, which aims to be a place of equal treatment for all:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby condemn the March 22, 1852, Dred Scott decision issued by the Missouri Supreme Court; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor, the Clerk of the Supreme Court of Missouri, the justices of the Supreme Court of Missouri, and the members of the Missouri congressional delegation.

President Kehoe assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SBs 673 and 560; SS for SB 644; SS for SB 618; and SS No. 2 for SCS for SB 523**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Wallingford moved that **SB 531** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 531**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 531

An Act to repeal section 452.375, RSMo, and to enact in lieu thereof one new section relating to child custody arrangements.

Senator Wallingford moved that **SS** for **SB 531** be adopted.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 531, Page 2, Section 452.375, Line 15 of said page, by striking “or”; and further amend line 17 of said page, by inserting after “subsection” the following: “**, or if the court finds that one of the parents has abused or neglected the child, as such terms are defined in section 210.110**”.

Senator Schupp moved that the above amendment be adopted.

Senator Sifton offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 531, Page 1, Line 2, by inserting after the word “amend”, the following: “lines 15-16, by striking the words “a pattern of”; and further amend”; and further amend said amendment, line 5, by inserting after the word “210.110”, the following: “; and

Further amend said bill and section, page 3, line 10, by striking the words “a pattern of”.”

Senator Sifton moved that the above amendment be adopted.

Senator Wallingford requested a roll call vote be taken on the adoption of **SA 1 to SA 1**. He was joined in his request by Senators Arthur, Libla, Schupp and Sifton.

Senator Sifton moved that **SA 1 to SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Arthur	Luetkemeyer	May	Riddle	Rizzo	Rowden	Schupp
Sifton	Williams—9					

NAYS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	O’Laughlin
Onder	Sater	Schatz	Wallingford	White	Wieland—20	

Absent—Senator Nasheed—1

Absent with leave—Senator Walsh—1

Vacancies—3

At the request of Senator Wallingford, **SB 531**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 38**.

Concurrent Resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 718**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Crawford.

SENATE BILLS FOR PERFECTION

Senator Hough moved that **SB 594**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 594**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 594**

An Act to amend chapter 620, RSMo by adding thereto one new section relating to workforce development.

Was taken up.

Senator Hough moved that **SCS** for **SB 594** be adopted.

Senator Hough offered **SS** for **SCS** for **SB 594**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 594**

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

Senator Hough moved that **SS** for **SCS** for **SB 594** be adopted.

Senator Eigel offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 9, Section 620.2250, Line 2 of said page, by inserting immediately after said line the following:

“[135.710. 1. As used in this section, the following terms mean:

(1) “Alternative fuel vehicle refueling property”, property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens;

(2) “Alternative fuels”, any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

(a) Ethanol;

(b) Natural gas;

(c) Compressed natural gas, or CNG;

(d) Liquified natural gas, or LNG;

(e) Liquified petroleum gas, or LP gas, propane, or autogas;

(f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

(3) “Department”, the department of economic development;

(4) “Electric vehicle recharging property”, property in this state owned by an eligible applicant and used for recharging electric motor vehicles owned by such eligible applicant or private citizens;

(5) “Eligible applicant”, a business entity or private citizen that is the owner of an electric vehicle recharging property or an alternative fuel vehicle refueling property;

(6) “Qualified Missouri contractor”, a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years;

(7) “Qualified property”, an electric vehicle recharging property or an alternative fuel vehicle refueling property which, if constructed after August 28, 2014, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply.

2. For all tax years beginning on or after January 1, 2015, but before January 1, 2018, any eligible applicant who installs and operates a qualified property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the qualified property. The credit allowed in this section per eligible applicant who is a private citizen shall not exceed fifteen hundred dollars or per eligible applicant that is a business entity shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment or any recharging equipment on any qualified property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified property;

(2) Costs associated with the purchase of an existing qualified property; or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing or recharging facilities were placed in service at a qualified property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed one million dollars in any calendar year, subject to appropriations.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section

from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. Any qualified property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel or recharge electric vehicles shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the qualified property ceased to sell alternative fuel or recharge electric vehicles and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel or recharging of electric vehicles ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after December 31, 2014, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset six years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; and

(4) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.]]"; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted, which motion prevailed.

President Kehoe assumed the Chair.

Senator Eigel offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 1, Section A, Line 3 of said page, by inserting immediately after said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”[,]: a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse:

(a) Has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year[, or the claimant or spouse];

(b) Is a veteran of any branch of the Armed Forces of the United States or this state who became one hundred percent disabled as a result of such service[, or the claimant or spouse];

(c) Is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require[,]; or

(d) If the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed.

A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) [“Gross rent”, amount paid by a claimant to a landlord for the rental, at arm’s length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as

part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned [or rented] by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) "Income", Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(6)] (5) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the

year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision “unit” refers to the parcel of property covered by a single tax statement of which the homestead is a part[;

(7) “Rent constituting property taxes accrued”, twenty percent of the gross rent paid by a claimant and spouse in the calendar year].

135.025. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant’s homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

135.030. 1. As used in this section:

(1) The term “maximum upper limit” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;

(2) The term “minimum base” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:

Not over the minimum base

The percent is:

0 percent with credit not to exceed \$1,100 in actual property tax [or rent equivalent] paid [up to \$750]

Over the minimum base but not over the maximum upper limit

1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term “accumulative” means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant’s potential eligibility, where the department determines such potential eligibility exists.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

Senator Arthur raised the point of order that **SA 2** goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 1, In the Title, Line 3, by striking the words “workforce development” and inserting in lieu thereof the following: “tax incentives”; and

Further amend said bill and page, section A, line 3, by inserting after all of said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”[,]: a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse:

(a) Has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year[, or the claimant or spouse];

(b) Is a veteran of any branch of the Armed Forces of the United States or this state who became one hundred percent disabled as a result of such service[, or the claimant or spouse];

(c) Is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require[,]; or

(d) If the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed.

A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) [“Gross rent”, amount paid by a claimant to a landlord for the rental, at arm’s length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm’s length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) “Homestead”, the dwelling in Missouri owned [or rented] by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. “Owned” includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) “Income”, Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant’s spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(6)] (5) “Property taxes accrued”, property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant’s homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then “property taxes accrued” is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are “levied” when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, “property taxes accrued” means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision “unit” refers to the parcel of property covered by a single tax statement of which the homestead is a part[;

(7) “Rent constituting property taxes accrued”, twenty percent of the gross rent paid by a claimant and spouse in the calendar year].

135.025. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant’s homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

135.030. 1. As used in this section:

(1) The term “maximum upper limit” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;

(2) The term “minimum base” shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:

The percent is:

Not over the minimum base	0 percent with credit not to exceed \$1,100 in actual property tax [or rent equivalent] paid [up to \$750]
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term “accumulative” means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant’s potential eligibility, where the department determines such potential eligibility exists.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Rizzo raised the point of order that **SA 3** goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

On motion of Senator Wallingford, the Senate stood at ease.

The President Pro Tem ruled that the point of order was not well taken.

Senator Bernskoetter assumed the Chair.

Senator Crawford assumed the Chair.

Senator Bernskoetter assumed the Chair.

At the request of Senator Onder the above amendment was withdrawn.

Senator Onder offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 8, Section 620.2250, Line 8, by inserting after all of said line the following:

“14. The total amount of withholding taxes retained by all TIME zones pursuant to the provisions of this section shall not exceed five million dollars per fiscal year.”; and further amend line 23 by striking “2026” and inserting in lieu thereof the following: **“2024”**; and

Further renumber the remaining subsections accordingly.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Hough moved that **SS for SCS for SB 594**, as amended, be adopted, which motion prevailed.

On motion of Senator Hough, **SS for SCS for SB 594**, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Schatz referred **SS No. 2 for SCS for SB 523**; **SS for SCS for SB 718**; and **SS for SB 618** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Crawford offered Senate Resolution No. 1308, regarding Trevor Christian, which was adopted.

Senator Crawford offered Senate Resolution No. 1309, regarding Lizzie Miller, which was adopted.

Senator Schatz offered Senate Resolution No. 1310, regarding Rev. Charles Bond, which was adopted.

Senator Sater offered Senate Resolution No. 1311, regarding Timothy Allen Thurman Jr., Noel, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1312, regarding Rachel Francis, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1313, regarding Madalyn Kramer, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1314, regarding Erin Rippy, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1315, regarding Gretchen Roth, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1316, regarding Adele Shade, Riverside, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1317, regarding Alyssa Miller, Riverside, which was adopted.

Senator Koenig offered Senate Resolution No. 1318, regarding Mollie Harrison, Kirkwood, which was adopted.

Senator Koenig offered Senate Resolution No. 1319, regarding Ben Frailey, St. Louis, which was adopted.

Senator Eigel offered Senate Resolution No. 1320, regarding Nathan Limbaugh, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 1321, regarding Madison Oostendorp, St. Charles, which

was adopted.

Senator Wallingford offered Senate Resolution No. 1322, regarding the Missouri Wing of the Civil Air Patrol, which was adopted.

Senator Williams offered Senate Resolution No. 1323, regarding Diamond Jacobs, Florissant, which was adopted.

Senator Hegeman offered Senate Resolution No. 1324, regarding Cade Killingsworth. Lawson, which was adopted.

Senator Schupp offered Senate Resolution No. 1325, regarding the Ninetieth Anniversary of the City of Olivette, which was adopted.

Senator Brown offered Senate Resolution No. 1326, regarding Jackson Blake Ashcroft, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1327, regarding Samantha Miller, Steelville, which was adopted.

Senator Brown offered Senate Resolution No. 1328, regarding Lilly Germeroth, Rolla, which was adopted.

Senator Riddle offered Senate Resolution No. 1329, regarding Shane Pitman, Marthasville, which was adopted.

Senator Riddle offered Senate Resolution No. 1330, regarding Mary Benoit, Centralia, which was adopted.

Senator Riddle offered Senate Resolution No. 1331, regarding Micah Turrell, Fulton, which was adopted.

Senator Koenig offered Senate Resolution No. 1332, regarding Colleen Clancy, Fenton, which was adopted.

Senator Koenig offered Senate Resolution No. 1333, regarding J.D. Peiffer, Ballwin, which was adopted.

Senator Nasheed offered Senate Resolution No. 1334, regarding the death of Samuel L. Moore Jr., St. Louis, which was adopted.

INTRODUCTION OF GUESTS

Senator Libla introduced to the Senate, Cassandra Flores, Holcomb, Family, Career and Community Leaders of America.

Senator Schupp introduced to the Senate, Dr. Tim Jennings, Michelle Gary, Dr. Nicholas Mayer and Mike Cannova, Missouri Association of Osteopathic Physicians and Surgeons.

Senator Wallingford introduced to the Senate, Kamille and Keaton Carson, Poplar Bluff; and Kamille and Keaton were made honorary pages.

Senator Wallingford introduced to the Senate, Tracie VanGennip, Zalma; and Ada Rendleman, Scott City, Family, Career and Community Leaders of America.

Senator May introduced to the Senate, James McGee and Yeshemibet “Bet” Menen, Missouri

Legislative Black Caucus Foundation Emerging Leaders Internship program.

Senator Sater introduced to the Senate, Bailey Owens, Lampe, Family, Career and Community Leaders of America.

Senator Crawford introduced to the Senate, Thane and Suzanne Kifer and Brad Gregory, Bolivar; and Olivia Miller, Cole Camp.

Senator Williams introduced to the Senate, Mike Jones, St. Louis; and Pamela Westbrooks-Hodge and her husband, Harlin, Pasadena Hills, and parents Henry Mae and Neil Westbrooks, St. Louis.

Senator Williams introduced to the Senate, Nia Neville, Columbia; Breawna Austin, Cape Girardeau; and Michelle Sall, Kansas City, Missouri Legislative Black Caucus Foundation Emerging Leaders Internship program.

Senator Cunningham introduced to the Senate, Callie Adey, Houston; and Destini Clark, Koshkonong.

Senator Hough introduced to the Senate, Jason Ray, Brandon Jenson, Jane Hood, Stephen Lachky, Ronda Burnett and Scott Hayes, representatives of the American Planning Association Missouri Chapter.

Senator White introduced to the Senate, Director Angela Drake, and Tyler Ludwig, Colin Byrd, Nathan Collier, Ryan Bert and Jorell Kuttenkuler, representatives of the University of Missouri School of Law Veterans Clinic.

Senator Emery introduced to the Senate, Paulette Matthews, Cass County Teen Pact; and Shelby Nebocat, Adrian, Family, Career and Community Leaders of America.

Senator O’Laughlin introduced to the Senate, Jasmine Stewart, Macon; and Allyson Logston, Kirksville; Family, Career and Community Leaders of America.

Senator Bernskoetter introduced to the Senate, Korrin Zerr, Montgomery County, Family, Career and Community Leaders of America.

Senator Hoskins introduced to the Senate, Yia Si Huang, Warrensburg, Family, Career and Community Leaders of America.

Senator Hoskins introduced to the Senate, Neal Bredehoeft, his wife, Kathy, and daughter, Lacey Bredehoeft-Fiene.

Senator Eigel introduced to the Senate, Alex Meuret, Chesterfield.

On behalf of Senator Rowden, the President introduced to the Senate, representatives in the Greater Missouri Leadership Challenge.

Senator Crawford introduced to the Senate, Noah Phillips, Buffalo.

Senator Riddle introduced to the Senate, Ashley Queathem, Montgomery County, Family, Career and Community Leaders of America.

Senator Riddle introduced to the Senate, Mary Williams, Mikal Lagemann, Deb Hartsock, Gayla Steele, Lois Long and Michelle Kitson, representatives of Greater Missouri Alzheimer’s Association.

Senator Schupp introduced to the Senate, Denise Dickens, Cheryl Kinney, Cindy and Mark Melvin, Doug Orms and Dell Yates, representatives of Greater Missouri Alzheimer’s Association.

Senator Williams introduced to the Senate, Shannon Laine, Clayton.

Senator Hough introduced to the Senate, the Physician of the Day, Dr. Louis Del Campo, Springfield.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIRST DAY—THURSDAY, MARCH 5, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 957-Sater	SB 988-Emery
SB 958-Koenig	SB 989-May
SB 959-Sifton	SB 990-May
SB 960-Emery	SB 991-Walsh
SB 961-Emery	SB 992-Burlison
SB 962-Arthur	SB 993-Burlison
SB 963-O'Laughlin	SB 994-Bernskoetter
SB 964-O'Laughlin	SB 995-Cunningham
SB 965-O'Laughlin	SB 996-Onder
SB 966-O'Laughlin	SB 997-Bernskoetter
SB 967-Cierpiot	SB 998-Sifton
SB 968-Cierpiot	SB 999-Walsh
SB 969-Riddle	SB 1000-Onder
SB 970-Rowden	SB 1001-Brown
SB 971-Sater	SB 1002-Rizzo
SB 972-Wieland	SB 1003-White
SB 973-Wallingford	SB 1004-Cierpiot
SB 974-Wallingford	SB 1005-Schupp
SB 975-Wallingford	SB 1006-Hoskins
SB 976-Sater	SB 1007-Burlison
SB 977-Wallingford	SB 1008-Burlison
SB 978-Wallingford	SB 1009-Burlison
SB 979-Wallingford	SB 1010-Sater
SB 980-Nasheed	SB 1011-Williams
SB 981-Cierpiot	SB 1012-Wieland
SB 982-Cierpiot	SB 1013-Wieland
SB 983-Brown	SB 1014-Sifton
SB 984-Crawford	SB 1015-Emery
SB 985-May	SB 1016-Crawford
SB 986-May	SB 1017-Walsh
SB 987-Williams	SB 1018-Rizzo

SB 1019-Rizzo	SB 1054-Cierpiot
SB 1020-Schatz	SB 1055-Rowden
SB 1021-O'Laughlin	SB 1056-Hegeman
SB 1022-O'Laughlin	SB 1057-Hegeman and Luetkemeyer
SB 1023-O'Laughlin	SB 1058-Brown
SB 1024-Riddle	SB 1059-Hough
SB 1025-Emery	SB 1060-Hough
SB 1026-O'Laughlin	SB 1061-Libla
SB 1027-O'Laughlin	SB 1062-Nasheed
SB 1028-White	SB 1063-O'Laughlin
SB 1029-Sater	SB 1064-O'Laughlin
SB 1030-Williams	SB 1065-O'Laughlin
SB 1031-Nasheed	SB 1066-O'Laughlin
SB 1032-Riddle	SB 1067-Sifton
SB 1033-Hegeman	SB 1068-Williams
SB 1034-Cierpiot	SB 1069-Williams
SB 1035-Emery	SB 1070-Williams
SB 1036-White	SB 1071-Williams
SB 1037-Walsh	SB 1072-Hough
SB 1038-Wallingford	SB 1073-Hough
SB 1039-Wallingford	SB 1074-Hoskins
SB 1040-Wallingford	SB 1075-Emery
SB 1041-Schupp	SB 1076-Emery
SB 1042-Nasheed	SB 1077-Onder
SB 1043-Emery	SB 1078-Onder
SB 1044-Crawford	SB 1079-Burlison
SB 1045-Bernskoetter	SB 1080-Rizzo
SB 1046-Koenig	SB 1081-Rizzo
SB 1047-O'Laughlin	SB 1082-Bernskoetter
SB 1048-Burlison	SB 1083-Brown
SB 1049-Burlison	SB 1084-Brown
SB 1050-Williams	SB 1085-Rowden
SB 1051-Eigel	SB 1086-Wieland
SB 1052-Eigel	SB 1087-Wieland
SB 1053-Eigel	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1640-Taylor
HCS for HB 1959	HB 2061-Christofanelli
HB 1566-Burnett	HCS for HBs 1387 & 1482
HCS for HB 1434	HB 1418-McGill
HCS for HB 1488	HB 1486-Rehder
HB 1348-Baker	HCS for HB 1868
HCS for HB 1655	HB 1873-Gregory

HCS for HB 1696
HCS for HB 1787
HB 1694-Anderson
HB 1421-Hudson
HB 1559-Remole
HCS for HB 1289

HCS for HB 1293
HCS for HB 1331
HCS for HB 1333
HCS for HB 1683
HCS for HB 1600
HCS for HB 1912

THIRD READING OF SENATE BILLS

SB 664-Burlison
SB 587-Bernskoetter (In Fiscal Oversight)
SCS for SBs 673 & 560-Brown
SS for SB 644-Hoskins
SS for SB 618-Wallingford (In Fiscal Oversight)

SS#2 for SCS for SB 523-Sater
(In Fiscal Oversight)
SS for SCS for SB 718-White
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 677-Luetkemeyer
2. SB 569-Koenig, with SCS
3. SB 608-May, with SCS
4. SB 632-Hegeman
5. SB 590-Burlison, with SCS
6. SB 559-Schatz, with SCS
7. SB 583-Arthur, with SCS
8. SB 646-Koenig
9. SBs 675 & 705-Luetkemeyer, with SCS
10. SJRs 48, 41 & 43-Luetkemeyer, with SCS
11. SB 699-Riddle, with SCS
12. SB 714-Burlison, with SCS
13. SB 613-Emery, with SCS
14. SB 537-Libla
15. SB 572-Rowden

16. SB 748-White
17. SB 696-Sifton
18. SB 595-Hough, with SCS
19. SB 548-Hegeman
20. SB 703-Hoskins, with SCS
21. SB 605-O’Laughlin, with SCS
22. SB 640-Onder
23. SJR 44-Eigel
24. SB 647-Koenig, with SCS
25. SB 578-Crawford, with SCS
26. SB 522-Sater
27. SJR 31-Sater
28. SB 674-Brown
29. SB 661-Bernskoetter, with SCS
30. SB 645-Hoskins, with SCS

HOUSE BILLS ON THIRD READING

HB 1693-Rehder (Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 525-Emery, with SCS, SS for SCS &
SA 1 (pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS,

SS for SCS & SA 1 (pending)
SB 531-Wallingford, with SS &
SA 1 (pending)
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)

SB 553-Wieland, with SA 1 (pending)	SB 636-Wieland
SB 555-Riddle	SB 648-Koenig, with SCS
SB 557-Schatz, with SCS	SB 649-Eigel
SB 558-Schatz, with SCS	SB 670-Hough, with SCS, SS for SCS &
SB 575-Eigel, with SS#2 & SA 2 (pending)	SA 1 (pending)
SB 581-Cierpiot, with SCS	SJR 32-Sater
SB 592-White	SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 686-Sater	SB 616-Cunningham, with SCS
SB 774-Brown	SB 725-Brown, with SCS
SB 544-Arthur	SB 846-Sater
SB 676-Luetkemeyer	

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 32-Bernskoetter
SCR 29-Wallingford	SCR 33-May
SCR 30-Schupp	SCR 34-Hoskins
SCR 31-Emery	SCR 35-Hoskins

To be Referred

SCR 45-May

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIRST DAY—THURSDAY, MARCH 5, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“You show me the path of life. In your presence there is fullness of joy; in your right hand are pleasures forevermore.” (Psalm 16:11)

Loving God, we give thanks and praise for showing us what we are and helping us experience life as You want us to live it. As we go to be with those we love we know You have given them to us to love us and bring joy that is shared. We are mindful that You have laid out these gifts for our benefit which makes our lives complete. So we give thanks, Lord, to You once again for all You do for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1335, regarding Cole Diggins, Bronaugh, which was adopted.

Senator Emery offered Senate Resolution No. 1336, regarding Isaac Marks, Belton, which was adopted.

Senator Emery offered Senate Resolution No. 1337, regarding Christian Marks, Belton, which was adopted.

Senator Wieland offered Senate Resolution No. 1338, regarding Grace Kempen, Arnold, which was adopted.

Senator Wieland offered Senate Resolution No. 1339, regarding Zachary Foulks, Imperial, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 38**, begs leave to report that it has examined the same and finds that the concurrent resolution has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF CONCURRENT RESOLUTIONS

SCR 38 having passed both branches of the General Assembly was signed by the President Pro Tem in open session.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Lloyd F. Smith, Republican, as a member of the Southeast Missouri State University Board of Regents;

Also,

Neal Bredehoeft, Republican, as a member of the Clean Water Commission;

Also,

Pamela Westbrook-Hodge, Democrat, as a member of the State Board of Education; and

Thane H. Kifer, Republican, as a member of the State Banking and Savings and Loan Board.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and

consent to the above appointments, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SB 587**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 625**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 633**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 739**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 716**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 809**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 797**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 779**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 669**, begs leave

to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 866**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 756**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 764**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 768**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hoskins, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 690**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 639**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 576**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 615**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cierpiot, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **SB 586**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 568**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator White, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 784**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 602**, **SB 778** and **SB 561** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator O’Laughlin, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 802**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SB 664, introduced by Senator Burlison, entitled:

An Act to repeal sections 407.1095, 407.1098, and 407.1104, RSMo, and to enact in lieu thereof three new sections relating to call spoofing.

Was taken up.

On motion of Senator Burlison, **SB 664** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Walsh—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Burlison, title to the bill was agreed to.

Senator Burlison moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 587, introduced by Senator Bernskoetter, entitled:

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the secretary of state's technology trust fund.

Was taken up.

On motion of Senator Bernskoetter, **SB 587** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O'Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Walsh—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SCS for **SBs 673** and **560**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 673 and 560

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SBs 673** and **560** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Walsh—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS for **SB 644**, introduced by Senator Hoskins, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 644

An Act to repeal sections 209.150, 209.200, and 209.204, RSMo, and to enact in lieu thereof three new sections relating to service animals, with penalty provisions.

Was taken up.

On motion of Senator Hoskins, **SS** for **SB 644** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	White	Wieland	Williams—28

NAYS—Senator Burlison—1

Absent—Senator Nasheed—1

Absent with leave—Senator Walsh—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Hoskins, title to the bill was agreed to.

Senator Hoskins moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 594**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SS** for **SCS** for **SB 594** and **HB 1693** to the Committee on Fiscal Oversight.

RE-REFERRALS

President Pro Tem Schatz re-referred **SB 951** to the Committee on Seniors, Families and Children.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1898**, entitled:

An Act to amend chapters 217, 577, and 632, RSMo, by adding thereto three new sections relating to unmanned aircraft, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2199**, entitled:

An Act to repeal section 307.179, RSMo, and to enact in lieu thereof one new section relating to child passenger restraint systems, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1800**, entitled:

An Act to repeal section 301.451, RSMo, and to enact in lieu thereof one new section relating to special

license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1468**, entitled:

An Act to repeal sections 311.060, 311.660, and 313.220, RSMo, and to enact in lieu thereof three new sections relating to activities extended to persons found guilty of certain criminal offenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 957—Insurance and Banking.

SB 958—Economic Development.

SB 959—Judiciary and Civil and Criminal Jurisprudence.

SB 960—Judiciary and Civil and Criminal Jurisprudence.

SB 961—Judiciary and Civil and Criminal Jurisprudence.

SB 962—Insurance and Banking.

SB 963—Judiciary and Civil and Criminal Jurisprudence.

SB 964—Transportation, Infrastructure and Public Safety.

SB 965—Seniors, Families and Children.

SB 966—Education.

SB 967—Economic Development.

SB 968—Health and Pensions.

SB 969—Local Government and Elections.

SB 970—Insurance and Banking.

SB 971—Seniors, Families and Children.

SB 972—Insurance and Banking.

SB 973—Education.

SB 974—Health and Pensions.

SB 975—Commerce, Consumer Protection, Energy and the Environment.

- SB 976**—Professional Registration.
- SB 977**—Education.
- SB 978**—General Laws.
- SB 979**—Agriculture, Food Production and Outdoor Resources.
- SB 980**—Judiciary and Civil and Criminal Jurisprudence.
- SB 981**—Transportation, Infrastructure and Public Safety.
- SB 982**—Transportation, Infrastructure and Public Safety.
- SB 983**—Agriculture, Food Production and Outdoor Resources.
- SB 984**—Judiciary and Civil and Criminal Jurisprudence.
- SB 985**—Judiciary and Civil and Criminal Jurisprudence.
- SB 986**—General Laws.
- SB 987**—Local Government and Elections.
- SB 988**—Government Reform.
- SB 989**—Health and Pensions.
- SB 990**—Insurance and Banking.
- SB 991**—Small Business and Industry.
- SB 992**—Professional Registration.
- SB 993**—Health and Pensions.
- SB 994**—Agriculture, Food Production and Outdoor Resources.
- SB 995**—Judiciary and Civil and Criminal Jurisprudence.
- SB 996**—Government Reform.
- SB 997**—Education.
- SB 998**—Rules, Joint Rules, Resolutions and Ethics.
- SB 999**—Health and Pensions.
- SB 1000**—Health and Pensions.
- SB 1001**—Transportation, Infrastructure and Public Safety.
- SB 1002**—General Laws.
- SB 1003**—Transportation, Infrastructure and Public Safety.
- SB 1004**—Economic Development.
- SB 1005**—Economic Development.

SB 1006—Professional Registration.

SB 1007—Transportation, Infrastructure and Public Safety.

SB 1008—Commerce, Consumer Protection, Energy and the Environment.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Kim Menke, Leah Almeling and Donna Orf, Toyota Motor Manufacturing Missouri, Inc.

Senator Rowden introduced to the Senate, eighteen middle school students, Chester Boren Middle School, Centralia, STEM participants.

Senator Emery introduced to the Senate, Maddy Karst, Sarah Misener, Emily Neumann, Lena Misener, Holly Matthews and Jubilee Matthews, representatives of Teen Pact.

Senator Wallingford introduced to the Senate, 500 STEM participants from around Missouri.

Senator Sifton introduced to the Senate, Nathan Williams, St. Louis.

Senator Burlison introduced to the Senate, Angela Brown and Elijah, Aiden, Evan and Charity Meadows, representatives of Midwest Hemophilia and Gateway Hemophilia associations.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, March 9, 2020.

SENATE CALENDAR

THIRTY-SECOND DAY—MONDAY, MARCH 9, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1009-Burlison

SB 1010-Sater

SB 1011-Williams

SB 1012-Wieland

SB 1013-Wieland

SB 1014-Sifton

SB 1015-Emery

SB 1016-Crawford

SB 1017-Walsh

SB 1018-Rizzo

SB 1019-Rizzo

SB 1020-Schatz

SB 1021-O'Laughlin

SB 1022-O'Laughlin

SB 1023-O'Laughlin

SB 1024-Riddle

SB 1025-Emery

SB 1026-O'Laughlin

SB 1027-O'Laughlin

SB 1028-White

SB 1029-Sater	SB 1059-Hough
SB 1030-Williams	SB 1060-Hough
SB 1031-Nasheed	SB 1061-Libla
SB 1032-Riddle	SB 1062-Nasheed
SB 1033-Hegeman	SB 1063-O'Laughlin
SB 1034-Cierpiot	SB 1064-O'Laughlin
SB 1035-Emery	SB 1065-O'Laughlin
SB 1036-White	SB 1066-O'Laughlin
SB 1037-Walsh	SB 1067-Sifton
SB 1038-Wallingford	SB 1068-Williams
SB 1039-Wallingford	SB 1069-Williams
SB 1040-Wallingford	SB 1070-Williams
SB 1041-Schupp	SB 1071-Williams
SB 1042-Nasheed	SB 1072-Hough
SB 1043-Emery	SB 1073-Hough
SB 1044-Crawford	SB 1074-Hoskins
SB 1045-Bernskoetter	SB 1075-Emery
SB 1046-Koenig	SB 1076-Emery
SB 1047-O'Laughlin	SB 1077-Onder
SB 1048-Burlison	SB 1078-Onder
SB 1049-Burlison	SB 1079-Burlison
SB 1050-Williams	SB 1080-Rizzo
SB 1051-Eigel	SB 1081-Rizzo
SB 1052-Eigel	SB 1082-Bernskoetter
SB 1053-Eigel	SB 1083-Brown
SB 1054-Cierpiot	SB 1084-Brown
SB 1055-Rowden	SB 1085-Rowden
SB 1056-Hegeman	SB 1086-Wieland
SB 1057-Hegeman and Luetkemeyer	SB 1087-Wieland
SB 1058-Brown	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1640-Taylor
HCS for HB 1959	HB 2061-Christofanelli
HB 1566-Burnett	HCS for HBs 1387 & 1482
HCS for HB 1434	HB 1418-McGill
HCS for HB 1488	HB 1486-Rehder
HB 1348-Baker	HCS for HB 1868
HCS for HB 1655	HB 1873-Gregory

HCS for HB 1696
HCS for HB 1787
HB 1694-Anderson
HB 1421-Hudson
HB 1559-Remole
HCS for HB 1289
HCS for HB 1293
HCS for HB 1331

HCS for HB 1333
HCS for HB 1683
HCS for HB 1600
HCS for HB 1912
HCS for HB 1898
HB 2199-Gannon
HB 1800-Morris (140)
HB 1468-Toalson Reisch

THIRD READING OF SENATE BILLS

SS for SB 618-Wallingford
(In Fiscal Oversight)
SS#2 for SCS for SB 523-Sater
(In Fiscal Oversight)

SS for SCS for SB 718-White
(In Fiscal Oversight)
SS for SCS for SB 594-Hough
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 677-Luetkemeyer
2. SB 569-Koenig, with SCS
3. SB 608-May, with SCS
4. SB 632-Hegeman
5. SB 590-Burlison, with SCS
6. SB 559-Schatz, with SCS
7. SB 583-Arthur, with SCS
8. SB 646-Koenig
9. SBs 675 & 705-Luetkemeyer, with SCS
10. SJRs 48, 41 & 43-Luetkemeyer, with SCS
11. SB 699-Riddle, with SCS
12. SB 714-Burlison, with SCS
13. SB 613-Emery, with SCS
14. SB 537-Libla
15. SB 572-Rowden
16. SB 748-White
17. SB 696-Sifton
18. SB 595-Hough, with SCS
19. SB 548-Hegeman
20. SB 703-Hoskins, with SCS
21. SB 605-O’Laughlin, with SCS

22. SB 640-Onder
23. SJR 44-Eigel
24. SB 647-Koenig, with SCS
25. SB 578-Crawford, with SCS
26. SB 522-Sater
27. SJR 31-Sater
28. SB 674-Brown
29. SB 661-Bernskoetter, with SCS
30. SB 645-Hoskins, with SCS
31. SB 625-Libla, with SCS
32. SB 633-Hegeman
33. SB 739-Onder, with SCS
34. SB 716-Burlison
35. SB 809-Brown, with SCS
36. SB 797-Wieland, with SCS
37. SB 779-Crawford
38. SB 756-Sifton, with SCS
39. SB 764-Onder, with SCS
40. SB 768-Onder, with SCS
41. SB 690-Cunningham
42. SB 639-Riddle

43. SB 576-Crawford, with SCS
 44. SB 615-Cunningham
 45. SB 586-Bernskoetter, with SCS
 46. SB 568-Hoskins, with SCS

47. SB 784-Wallingford
 48. SBs 602, 778 & 561-Luetkemeyer, with SCS
 49. SB 802-Hegeman

HOUSE BILLS ON THIRD READING

HB 1693-Rehder (Luetkemeyer)
 (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
 SB 525-Emery, with SCS, SS for SCS &
 SA 1 (pending)
 SB 526-Emery, with SCS
 SB 529-Cunningham, with SCS
 SB 530-Cunningham, with SCS, SS for SCS
 & SA 1 (pending)
 SB 531-Wallingford, with SS & SA 1
 (pending)
 SBs 538, 562 & 601-Libla, with SCS,
 SS for SCS & SA 1 (pending)
 SB 539-Libla, with SA 1 (pending)
 SB 553-Wieland, with SA 1 (pending)

SB 555-Riddle
 SB 557-Schatz, with SCS
 SB 558-Schatz, with SCS
 SB 575-Eigel, with SS#2 & SA 2 (pending)
 SB 581-Cierpiot, with SCS
 SB 592-White
 SB 636-Wieland
 SB 648-Koenig, with SCS
 SB 649-Eigel
 SB 670-Hough, with SCS, SS for SCS &
 SA 1 (pending)
 SJR 32-Sater
 SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 686-Sater
 SB 774-Brown
 SB 544-Arthur
 SB 676-Luetkemeyer

SB 616-Cunningham, with SCS
 SB 725-Brown, with SCS
 SB 846-Sater

Reported 3/5

SB 669-Hough

SB 866-Brown

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer

SCR 29-Wallingford

SCR 30-Schupp

SCR 31-Emery

SCR 32-Bernskoetter

SCR 33-May

SCR 34-Hoskins

SCR 35-Hoskins

To be Referred

SCR 45-May

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SECOND DAY—MONDAY, MARCH 9, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“You show me the path of life. In your presence is fullness of joy at your right hand are pleasures forevermore.” (Psalm 16:11)

Creative God, all that we have and see is from You and we rejoice to behold such beauty and to be part of it. You have given us life to its fullest and we must make choices that lead to kindness and peace among those we encounter each day. You have created us and teach us how to live and work together, may we always be about such sharing and joy with others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 5, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 1340, regarding Jahanna Koestner, Lohman, which

was adopted.

Senator Libla offered Senate Resolution No. 1341, regarding Tonya Hill, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 1342, regarding Gene Bess, which was adopted.

Senator Libla offered Senate Resolution No. 1343, regarding Jeff Walk, which was adopted.

Senator Cierpiot offered Senate Resolution No. 1344, regarding Jolee McMullin, Lee's Summit, which was adopted.

Senator Cierpiot offered Senate Resolution No. 1345, regarding Cassidy Nelson, Blue Springs, which was adopted.

Senator Riddle offered Senate Resolution No. 1346, regarding Pete Nasir, Vandalia, which was adopted.

Senator Riddle offered Senate Resolution No. 1347, regarding Rachel Friederich, Collinsville, Illinois, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1348, regarding Dan Wiley, Clarksville, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1349, regarding Jeremy Warning, Palmyra, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1350, regarding Mickey Oeth, Bowling Green, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1351, regarding Pascha Allen, Eolia, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 1352, regarding Renee Oakley, Bowling Green, which was adopted.

Senator Onder offered Senate Resolution No. 1353, regarding Alex James Barnes, O'Fallon, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1354, regarding Police Officer Phillip Adam, California, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1355, regarding Police Officer Ralph Parris, California, which was adopted.

Senator Rowden requested unanimous consent of the Senate to allow Charlie Jones, Jefferson City Police Department to enter the Chamber with side arms.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 46

Whereas, the state of Maine celebrated its bicentennial on March 15, 2020; and

Whereas, the Missouri Compromise allowed Maine's admission to the Union as a free state in 1820 and Missouri's admission to the Union

as a slave state in 1821, thereby maintaining the balance of slave and free states; and

Whereas, the destinies of our two states are forever linked by the injustices of slavery; and

Whereas, the people of Missouri are grateful for the historical relationship that binds our two states. We celebrate with Maine a shared respect for liberty and justice for all; and

Whereas, the people of Missouri recognize that our freedoms are inextricably bound together and, in the words of Dr. Martin Luther King, Jr., “we cannot walk alone”:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One-hundredth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby wish the people of the State of Maine a joyful 200th birthday and a prosperous future; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the governor of Maine, Janet Mills.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HB 1693**; **SS** for **SCS** for **SB 718**; **SS** for **SB 618**; **SS** for **SCS** for **SB 594**; and **SS No. 2** for **SCS** for **SB 523** begs leave to report that it has considered the same and recommends that the bills do pass.

President Pro Tem Schatz assumed the Chair.

Senator White, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HCS** for **HBs 1511** and **1452**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **SCR 45** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

THIRD READING OF SENATE BILLS

SS for **SB 618**, introduced by Senator Wallingford, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 618

An Act to repeal sections 393.1009, 393.1012, and 393.1015, RSMo, and to enact in lieu thereof five new sections relating to gas corporations.

Was taken up.

On motion of Senator Wallingford, **SS** for **SB 618** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater	Schatz
Wallingford	Walsh	White	Wieland—25			

NAYS—Senators

Arthur Libla Sifton Williams—4

Absent—Senators—None

Absent with leave—Senators

Riddle Schupp—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SB 523**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 523

An Act to repeal sections 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof seven new sections relating to controlled substances, with penalty provisions.

Was taken up.

On motion of Senator Sater, **SS No. 2** for **SCS** for **SB 523** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senators

Riddle Schupp—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 718**, introduced by Senator White, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 718

An Act to repeal sections 36.020, 168.021, 192.2305, 208.151, 210.109, 210.150, 379.122, 620.2005, 620.2010, and 650.005, RSMo, and to enact in lieu thereof fourteen new sections relating to military affairs, with an existing penalty provision and a contingent effective date for certain sections.

Was taken up.

On motion of Senator White, **SS** for **SCS** for **SB 718** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Riddle Schupp—2

Vacancies—3

The President declared the bill passed.

On motion of Senator White, title to the bill was agreed to.

Senator White moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 594**, introduced by Senator Hough, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 594

An Act to repeal section 135.710, RSMo, and to enact in lieu thereof one new section relating to workforce development.

Was taken up.

On motion of Senator Hough, **SS** for **SCS** for **SB 594** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Hegeman
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Hoskins	Hough	Libla	Luetkemeyer	May	Nasheed	Rizzo
Rowden	Sater	Schatz	Sifton	Wallingford	Walsh	White
Wieland	Williams—23					

NAYS—Senators

Burlison	Eigel	Emery	Koenig	O’Laughlin	Onder—6
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Absent—Senators—None

Absent with leave—Senators

Riddle	Schupp—2
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Vacancies—3

The President declared the bill passed.

On motion of Senator Hough, title to the bill was agreed to.

Senator Hough moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1540**, entitled:

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to recordings of certain school district meetings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1698**, entitled:

An Act to repeal section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof one new section relating to regulations by a county, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1716**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the honor guard appreciation day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2049**, entitled:

An Act to repeal sections 435.415 and 537.065, RSMo, and to enact in lieu thereof two new sections relating to civil actions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2120**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto three new sections relating to water safety and security.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1386**, entitled:

An Act to repeal section 105.470, RSMo, and to enact in lieu thereof one new section relating to lobbyists.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON THIRD READING

HB 1693, introduced by Representative Rehder, entitled:

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to the narcotics control act, with penalty provisions.

Was taken up by Senator Luetkemeyer.

Senator Luetkemeyer offered **SS** for **HB 1693**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 1693

An Act to repeal sections 195.140, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to the monitoring of certain controlled substances, with penalty provisions.

Senator Luetkemeyer moved that **SS** for **HB 1693** be adopted.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1693, Page 8, Section 195.456, Line 20 of said page, by inserting after all of said line the following:

“10. Any individual who has authority under sections 195.450 to 195.465 to access the program’s database shall complete a department-approved training course prior to accessing the database for the first time.”.

Senator Hoskins moved that the above amendment be adopted.

Senator Hegeman assumed the Chair.

President Kehoe assumed the Chair.

Senator Bernskoetter in the Chair.

President Kehoe in the Chair.

At the request of Senator Luetkemeyer, **SS** for **HB 1693** was withdrawn, rendering **SA 1** moot.

Senator Luetkemeyer submitted **SS No. 2** for **HB 1693**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 1693

An Act to repeal sections 579.065 and 579.068, RSMo, and to enact in lieu thereof three new sections relating to the monitoring of certain controlled substances, with penalty provisions.

Senator Luetkemeyer moved that **SS No. 2** for **HB 1693** be adopted, which motion prevailed.

Senator Luetkemeyer moved that **SS No. 2** for **HB 1693** be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Schatz referred **SS No. 2** for **HB 1693** to the Committee on Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2128**, entitled:

An Act to repeal section 304.170, RSMo, and to enact in lieu thereof one new section relating to trailer size restrictions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1568**, entitled:

An Act to repeal section 160.263, RSMo, and to enact in lieu thereof one new section relating to school

district policies on restrictive behavioral interventions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1383**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to minority mental health awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1768**, entitled:

An Act to repeal section 620.2451, RSMo, and to enact in lieu thereof one new section relating to rural broadband access funding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1711**, entitled:

An Act to repeal section 537.115, RSMo, and to enact in lieu thereof one new section relating to donated food.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1473**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto two new sections relating to the establishment of special license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2 for HB 1604**, entitled:

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to a residency requirement for municipal employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1334**, entitled:

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to medical alert notations on driver's licenses, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1817**, entitled:

An Act to repeal section 163.024, RSMo, and to enact in lieu thereof one new section relating to school district local effort calculations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1818**, entitled:

An Act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to school district local effort computations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1854**, entitled:

An Act to repeal section 105.145, RSMo, and to enact in lieu thereof one new section relating to political subdivisions filing annual financial reports with the state auditor, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1903**, entitled:

An Act to repeal section 168.205, RSMo, and to enact in lieu thereof one new section relating to school district superintendent sharing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 103**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing Section 12 of Article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state department of defense.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

Senator Rizzo submitted the following:

March 9, 2020

Adriane Crouse – Secretary of the Senate

State Capitol, Room 325

Jefferson City, Missouri 65101

Dear Adriane:

Pursuant to the provisions of section 21.851 and in my role as minority floor leader of the Senate, I hereby appoint myself to the vacancy on the Joint Committee on Disaster Preparedness and Awareness.

Sincerely,



John Rizzo

INTRODUCTION OF GUESTS

Senator Nasheed introduced to the Senate, Tony Sansone, St. Louis.

Senator Bernskoetter introduced to the Senate, Charlie Jones, High Point.

On motion of Senator Rowden, the Senate adjourned until 2:00 p.m., Tuesday, March 10, 2020.

SENATE CALENDAR

THIRTY-THIRD DAY–TUESDAY, MARCH 10, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1009-Burlison

SB 1010-Sater

SB 1011-Williams

SB 1012-Wieland

SB 1013-Wieland

SB 1014-Sifton

SB 1015-Emery

SB 1016-Crawford

SB 1017-Walsh

SB 1018-Rizzo

SB 1019-Rizzo	SB 1054-Cierpiot
SB 1020-Schatz	SB 1055-Rowden
SB 1021-O’Laughlin	SB 1056-Hegeman
SB 1022-O’Laughlin	SB 1057-Hegeman and Luetkemeyer
SB 1023-O’Laughlin	SB 1058-Brown
SB 1024-Riddle	SB 1059-Hough
SB 1025-Emery	SB 1060-Hough
SB 1026-O’Laughlin	SB 1061-Libla
SB 1027-O’Laughlin	SB 1062-Nasheed
SB 1028-White	SB 1063-O’Laughlin
SB 1029-Sater	SB 1064-O’Laughlin
SB 1030-Williams	SB 1065-O’Laughlin
SB 1031-Nasheed	SB 1066-O’Laughlin
SB 1032-Riddle	SB 1067-Sifton
SB 1033-Hegeman	SB 1068-Williams
SB 1034-Cierpiot	SB 1069-Williams
SB 1035-Emery	SB 1070-Williams
SB 1036-White	SB 1071-Williams
SB 1037-Walsh	SB 1072-Hough
SB 1038-Wallingford	SB 1073-Hough
SB 1039-Wallingford	SB 1074-Hoskins
SB 1040-Wallingford	SB 1075-Emery
SB 1041-Schupp	SB 1076-Emery
SB 1042-Nasheed	SB 1077-Onder
SB 1043-Emery	SB 1078-Onder
SB 1044-Crawford	SB 1079-Burlison
SB 1045-Bernskoetter	SB 1080-Rizzo
SB 1046-Koenig	SB 1081-Rizzo
SB 1047-O’Laughlin	SB 1082-Bernskoetter
SB 1048-Burlison	SB 1083-Brown
SB 1049-Burlison	SB 1084-Brown
SB 1050-Williams	SB 1085-Rowden
SB 1051-Eigel	SB 1086-Wieland
SB 1052-Eigel	SB 1087-Wieland
SB 1053-Eigel	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton	HB 1348-Baker
HCS for HB 1959	HCS for HB 1655
HB 1566-Burnett	HB 1640-Taylor
HCS for HB 1434	HB 2061-Christofanelli
HCS for HB 1488	HCS for HBs 1387 & 1482

HB 1418-McGill
 HB 1486-Rehder
 HCS for HB 1868
 HB 1873-Gregory
 HCS for HB 1696
 HCS for HB 1787
 HB 1694-Anderson
 HB 1421-Hudson
 HB 1559-Remole
 HCS for HB 1289
 HCS for HB 1293
 HCS for HB 1331
 HCS for HB 1333
 HCS for HB 1683
 HCS for HB 1600
 HCS for HB 1912
 HCS for HB 1898
 HB 2199-Gannon
 HB 1800-Morris (140)
 HB 1468-Toalson Reisch

HCS for HB 1540
 HB 1698-Henderson
 HB 1716-Morse (151)
 HCS for HB 2049
 HCS for HB 2120
 HB 1386-Murphy
 HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854
 HB 1903-Shields
 HCS for HJR 103

SENATE BILLS FOR PERFECTION

1. SB 677-Luetkemeyer
 2. SB 569-Koenig, with SCS
 3. SB 608-May, with SCS
 4. SB 632-Hegeman
 5. SB 590-Burlison, with SCS
 6. SB 559-Schatz, with SCS
 7. SB 583-Arthur, with SCS
 8. SB 646-Koenig
 9. SBs 675 & 705-Luetkemeyer, with SCS
 10. SJRs 48, 41 & 43-Luetkemeyer, with SCS
 11. SB 699-Riddle, with SCS
 12. SB 714-Burlison, with SCS
 13. SB 613-Emery, with SCS
 14. SB 537-Libla
 15. SB 572-Rowden
 16. SB 748-White
 17. SB 696-Sifton
 18. SB 595-Hough, with SCS
 19. SB 548-Hegeman
 20. SB 703-Hoskins, with SCS
 21. SB 605-O'Laughlin, with SCS

22. SB 640-Onder
 23. SJR 44-Eigel
 24. SB 647-Koenig, with SCS
 25. SB 578-Crawford, with SCS
 26. SB 522-Sater
 27. SJR 31-Sater
 28. SB 674-Brown
 29. SB 661-Bernskoetter, with SCS
 30. SB 645-Hoskins, with SCS
 31. SB 625-Libla, with SCS
 32. SB 633-Hegeman
 33. SB 739-Onder, with SCS
 34. SB 716-Burlison
 35. SB 809-Brown, with SCS
 36. SB 797-Wieland, with SCS
 37. SB 779-Crawford
 38. SB 756-Sifton, with SCS
 39. SB 764-Onder, with SCS
 40. SB 768-Onder, with SCS
 41. SB 690-Cunningham
 42. SB 639-Riddle

43. SB 576-Crawford, with SCS
 44. SB 615-Cunningham
 45. SB 586-Bernskoetter, with SCS
 46. SB 568-Hoskins, with SCS

47. SB 784-Wallingford
 48. SBs 602, 778 & 561-Luetkemeyer, with SCS
 49. SB 802-Hegeman

HOUSE BILLS ON THIRD READING

HCS for HBs 1511 & 1452 (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
 SB 525-Emery, with SCS, SS for SCS &
 SA 1 (pending)
 SB 526-Emery, with SCS
 SB 529-Cunningham, with SCS
 SB 530-Cunningham, with SCS,
 SS for SCS & SA 1 (pending)
 SB 531-Wallingford, with SS &
 SA 1 (pending)
 SBs 538, 562 & 601-Libla, with SCS, SS
 for SCS & SA 1 (pending)
 SB 539-Libla, with SA 1 (pending)
 SB 553-Wieland, with SA 1 (pending)

SB 555-Riddle
 SB 557-Schatz, with SCS
 SB 558-Schatz, with SCS
 SB 575-Eigel, with SS#2 & SA 2 (pending)
 SB 581-Cierpiot, with SCS
 SB 592-White
 SB 636-Wieland
 SB 648-Koenig, with SCS
 SB 649-Eigel
 SB 670-Hough, with SCS, SS for SCS &
 SA 1 (pending)
 SJR 32-Sater
 SJR 40-Koenig

HOUSE BILLS ON THIRD READING

SS for HB 1693-Rehder (Luetkemeyer)
 (In Fiscal Oversight)

CONSENT CALENDAR

Senate Bills

Reported 2/27

SB 686-Sater
 SB 774-Brown
 SB 544-Arthur
 SB 676-Luetkemeyer

SB 616-Cunningham, with SCS
 SB 725-Brown, with SCS
 SB 846-Sater

Reported 3/5

SB 669-Hough

SB 866-Brown

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

To be Referred

SCR 46-Emery

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-THIRD DAY—TUESDAY, MARCH 10, 2020

The Senate met pursuant to adjournment.

Senator Hough in the Chair.

Reverend Carl Gauck offered the following prayer:

“All the paths of the Lord are steadfast love and faithfulness for those who keep his covenant and his decrees.” (Psalm 25:10)

Gracious Lord, we are recipients of Your generous grace and caring and when we think of You we are aware of Your mercy and forgiveness which teaches us to be quick to forgive others who can be thoughtless and hard to deal with. But You have shown us to live graciously and how to be generous in our thoughts and actions with others. So let Your grace keep us on an even keel and let Your wisdom help us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
SaterSchatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—30

Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—3

RESOLUTIONS

Senator O’Laughlin offered Senate Resolution No. 1356, regarding the One Hundredth Fourth birthday

of Mary Pauline Brown, Macon, which was adopted.

Senator Libla offered Senate Resolution No. 1357, regarding Tina Priest Brown, Kennett, which was adopted.

Senator Schatz offered Senate Resolution No. 1358, regarding Raymond Daniel Candelario, Eureka, which was adopted.

Senator Schatz offered Senate Resolution No. 1359, regarding James William Dick, Chesterfield, which was adopted.

Senator Sater offered Senate Resolution No. 1360, regarding Wheeler Furniture, Aurora, which was adopted.

Senator Riddle offered Senate Resolution No. 1361, regarding Kenneth John Rau, Warrenton, which was adopted.

Senator Sifton offered Senate Resolution No. 1362, regarding Rachel Solverud, which was adopted.

Senator Sifton offered Senate Resolution No. 1363, regarding Will Hickey, which was adopted.

Senator White offered Senate Resolution No. 1364, regarding the death of Lennis Allen Queen, which was adopted.

Senator Crawford offered Senate Resolution No. 1365, regarding El Dorado Springs Municipal Band, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
March 10, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Cathy J. Dean, 828 Huntington Road, Kansas City, Jackson County, Missouri 64113, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2024, and until her successor is duly appointed and qualified; vice, Cathy J. Dean, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 10, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Connie Diekman, Republican, 344 Elm Valley Drive, Webster Groves, Saint Louis County, Missouri 63119, as a member of the State Committee of Dietitians, for a term ending June 11, 2021, and until her successor is duly appointed and qualified; vice, Le Greta Hudson, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 10, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donald P. Edinger, 4150 Northeast 63rd Terrace, Gladstone, Clay County, Missouri 64119, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2022, and until his successor is duly appointed and qualified; vice, Stephanie D. Briscoe, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 10, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dieticians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Mary A. Brown, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
March 10, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Robert P. Ballsrud as a member of the Higher Education Loan Authority of the State of Missouri, submitted to you on February 12, 2020. Line 2 should be amended to read:

member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2020,

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments, reappointment and addendum to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Schatz referred **SCR 46** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal

Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 61**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 542**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hough assumed the Chair.

SENATE BILLS FOR PERFECTION

SB 677 was placed on the Informal Calendar.

Senator Koenig moved that **SB 569**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 569**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 569

An Act to repeal section 595.220, RSMo, and to enact in lieu thereof one new section relating to evidentiary collection kits.

Was taken up.

Senator Koenig moved that **SCS** for **SB 569** be adopted.

Senator Koenig offered **SS** for **SCS** for **SB 569**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 569

An Act to repeal section 595.220, RSMo, and to enact in lieu thereof three new sections relating to victims of sexual offenses.

Senator Koenig moved that **SS** for **SCS** for **SB 569** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“192.2520. 1. Sections 192.2520 and 197.135 shall be known and may be cited as the “Justice for Survivors Act”.

2. As used in this section, the following terms shall mean:

- (1) “Appropriate medical provider”, the same meaning as used in section 595.220;**
- (2) “Department”, the department of health and senior services;**

- (3) “Evidentiary collection kit”, the same meaning as used in section 595.220;**
- (4) “Forensic examination”, the same meaning as used in section 595.220;**
- (5) “Telehealth”, the same meaning as used in section 191.1145.**

3. No later than July 1, 2022, there shall be established within the department a statewide telehealth network for forensic examinations of victims of sexual offenses in order to provide access to sexual assault nurse examiners (SANE) or other similarly trained appropriate medical providers. A statewide coordinator for the telehealth network shall be selected by the director of the department of health and senior services and shall have oversight responsibilities and provide support for the training programs offered by the network, as well as the implementation and operation of the network.

4. The network shall provide mentoring and educational training services, including:

- (1) Conducting a forensic examination of a victim of a sexual offense, in accordance with best practices, while utilizing an evidentiary collection kit;**
- (2) Proper documentation, transmission, and storage of the examination evidence;**
- (3) Utilizing trauma-informed care to address the needs of victims;**
- (4) Utilizing telehealth technology while conducting a live examination; and**
- (5) Providing ongoing case consultation and serving as an expert witness in event of a trial.**

The network shall, in the mentoring and educational training services provided, emphasize the importance of obtaining a victim’s informed consent to evidence collection, including issues involving minor consent, and the scope and limitations of confidentiality regarding information gathered during the forensic examination.

5. The training offered may be made available both online or in person, including the use of video conferencing technology to connect trained interdisciplinary experts with providers in a case-based learning environment.

6. The network shall, through telehealth services available twenty-four hours a day, seven days a week, by a SANE or another similarly trained appropriate medical provider, provide mentoring, consultation services, guidance, and technical assistance to appropriate medical providers during and outside of a forensic examination of a victim of a sexual offense. The network shall ensure that the system through which the network provides telehealth services meets national standards for interoperability to connect to telehealth systems.

7. The department may consult and enter into any necessary contracts with any other local, state, or federal agency, institution of higher education, or private entity to carry out the provisions of this section, including, but not limited to, a contract to:

- (1) Develop, implement, maintain, or operate the network;**
- (2) Train and provide technical assistance to appropriate medical providers on conducting forensic examinations of victims of sexual offenses and the use of telehealth services; and**
- (3) Provide consultation, guidance, or technical assistance to appropriate medical providers using telehealth services during a forensic examination of a victim of a sexual offense.**

8. Beginning October 1, 2021, and each year thereafter, all hospitals licensed under chapter 197 shall report to the department the following information for the previous year:

- (1) The number of forensic examinations of victims of a sexual offense performed at the hospital;**
- (2) The number of forensic examinations of victims of a sexual offense requested to be performed by a victim of a sexual offense that the hospital did not perform and the reason why the examination was not performed;**
- (3) The number of evidentiary collection kits submitted to a law enforcement agency for testing; and**
- (4) After July 1, 2022, the number of appropriate medical providers employed at or contracted with the hospital who utilized the training and telehealth services provided by the network.**

The information reported under this subsection and subsection 9 of this section shall not include any personally identifiable information of any victim of a sexual offense or any appropriate medical provider performing a forensic examination of such victim.

9. Beginning January 1, 2022, and each year thereafter, the department shall make publicly available a report that shall include the information submitted under subsection 8 of this section. The report shall also include, in collaboration with the department of public safety, information about the number of evidentiary collection kits submitted by a person or entity outside of a hospital setting, as well as the number of appropriate medical providers utilizing the training and telehealth services provided by the network outside of a hospital setting.

10. (1) The funding for the network shall be subject to appropriations. In addition to appropriations from the general assembly, the department shall apply for available grants and shall be able to accept other gifts, grants, bequests, and donations to develop and maintain the network and the training offered by the network.

(2) There is hereby created in the state treasury the “Justice for Survivors Telehealth Network Fund”, which shall consist of any gifts, grants, bequests, and donations accepted under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department for the purpose of developing and maintaining the network and the training offered by the network. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The department shall promulgate rules and regulations in order to implement the provisions of this section, including, but not limited to, the following:

- (1) The operation of a statewide telehealth network for forensic examinations of victims of sexual offenses;**
- (2) The development of training for appropriate medical providers conducting a forensic examination of a victim of a sexual offense; and**
- (3) Maintenance of records and data privacy and security of patient information.**

Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

197.135. 1. Beginning January 1, 2023, any hospital licensed under this chapter shall perform a forensic examination using an evidentiary collection kit upon the request and consent of the victim of a sexual offense, or the victim's guardian, when the victim is at least fourteen years of age. In the case of minor consent, the provisions of subsection 2 of section 595.220 shall apply. Victims under fourteen years of age shall be referred to a SAFE CARE provider, as such term is defined in section 334.950, for medical or forensic evaluation and case review. Nothing in this section shall be interpreted to preclude a hospital from performing a forensic examination for a victim under fourteen years of age upon the request and consent of the victim or victim's guardian, subject to the provisions of section 595.220 and the rules promulgated by the department of public safety.

2. An appropriate medical provider, as such term is defined in section 595.220, shall perform the forensic examination of a victim of a sexual offense. The hospital shall ensure that any provider performing the examination has received training conducting such examinations that is, at a minimum, equivalent to the training offered by the statewide telehealth network under subsection 4 of section 192.2520. If the provider is not a sexual assault nurse examiner (SANE), or another similarly trained physician or nurse, then the hospital shall utilize telehealth services during the examination, such as those provided by the statewide telehealth network, to provide guidance and support through a SANE, or other similarly trained physician or nurse, who may observe the live forensic examination and who shall communicate with and support the onsite provider with the examination, forensic evidence collection, and proper transmission and storage of the examination evidence.

3. The department of health and senior services may issue a waiver of the telehealth requirements of subsection 2 of this section if the hospital demonstrates to the department, in writing, a technological hardship in accessing telehealth services or a lack of access to adequate broadband services sufficient to access telehealth services. Such waivers shall be granted sparingly and for no more than a year in length at a time, with the opportunity for renewal at the department's discretion.

4. The department shall waive the requirements of this section if the statewide telehealth network established under section 192.2520 ceases operation, the director of the department of health and senior services has provided written notice to hospitals licensed under this chapter that the network has ceased operation, and the hospital cannot, in good faith, comply with the requirements of this section without assistance or resources of the statewide telehealth network. Such waiver shall remain in effect until such time as the statewide telehealth network resumes operation or until the hospital is able to demonstrate compliance with the provisions of this section without the assistance or resources of the statewide telehealth network.

5. The provisions of section 595.220 shall apply to the reimbursement of the reasonable costs of the examinations and the provision of the evidentiary collection kits.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Hegeman offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 5, Section 192.2520, Lines 8-11, by striking all of said lines and inserting in lieu thereof the following: “**network and the training offered by the network. The state treasurer**”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schupp moved that **SA 1** as amended, be adopted, which motion prevailed.

Senator Koenig moved that **SS** for **SCS** for **SB 569**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS** for **SCS** for **SB 569**, as amended, was declared perfected and ordered printed.

SB 608, with **SCS**, was placed on the Informal Calendar.

Senator Hegeman moved that **SB 632** be taken up for perfection, which motion prevailed.

Senator Hegeman offered **SS** for **SB 632**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 632

An Act to repeal section 620.2459, RSMo, and to enact in lieu thereof one new section relating to grants to expand access to broadband internet service in unserved and underserved areas of the state.

Senator Hegeman moved that **SS** for **SB 632** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SB 632**, was declared perfected and ordered printed.

Senator Wieland moved that **SB 553**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Onder, **SA 1** was withdrawn.

Senator Wieland moved that **SB 553** be adopted, which motion prevailed.

On motion of Senator Wieland, **SB 553** was declared perfected and ordered printed.

SENATE BILLS FOR THIRD READING

SB 686, introduced by Senator Sater, entitled:

An Act to repeal section 301.030, RSMo, and to enact in lieu thereof one new section relating to motor vehicle registration periods.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 686** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senators

Eigel O’Laughlin—2

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 774, introduced by Senator Brown, entitled:

An Act to repeal sections 301.560 and 301.564, RSMo, and to enact in lieu thereof two new sections relating to responsibilities of the Missouri state highway patrol.

Was called from the Consent Calendar and taken up.

On motion of Senator Brown, **SB 774** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 544, introduced by Senator Arthur, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to providing services to homeless persons.

Was called from the Consent Calendar and taken up.

On motion of Senator Arthur, **SB 544** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Cierpiot	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senator Burlison—1

Absent—Senator Bernskoetter—1

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Arthur, title to the bill was agreed to.

Senator Arthur moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 676, introduced by Senator Luetkemeyer, entitled:

An Act to repeal sections 137.180, 137.275, 137.355, 137.385, and 138.090, RSMo, and to enact in lieu thereof five new sections relating to property tax assessments.

Was called from the Consent Calendar and taken up.

On motion of Senator Luetkemeyer, **SB 676** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators—None

Absent—Senator Bernskoetter—1

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 616, with **SCS**, introduced by Senator Cunningham, entitled:

An Act to repeal section 205.202, RSMo, and to enact in lieu thereof one new section relating to the closure of county hospital districts.

Was called from the Consent Calendar and taken up.

SCS for **SB 616**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 616

An Act to repeal section 205.202, RSMo, and to enact in lieu thereof one new section relating to the closure of county hospital districts.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 616** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 616** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Bernskoetter—1

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 725, with **SCS**, introduced by Senator Brown, entitled:

An Act to repeal section 91.450, RSMo, and to enact in lieu thereof one new section relating to boards of public works in certain cities.

Was called from the Consent Calendar and taken up.

SCS for **SB 725**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 725

An Act to amend chapter 79, RSMo, by adding thereto one new section relating to city officials.

Was taken up.

Senator Brown moved that **SCS** for **SB 725** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 725** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Bernskoetter—1

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 846, introduced by Senator Sater, entitled:

An Act to repeal section 192.2305, RSMo, and to enact in lieu thereof one new section relating to the office of state ombudsman for long-term care facility residents.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 846** was read the 3rd time and passed by the following vote:

Present—Senators

Arthur	Brown	Burlison	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

Absent—Senators

Bernskoetter Cierpiot—2

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HBs 1511 and 1452, entitled:

An Act to repeal sections 324.008 and 324.009, RSMo, and to enact in lieu thereof one new section relating to professional licensing reciprocity.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HBs 1511 and 1452** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators—None

Absent—Senator Bernskoetter—1

Absent with leave—Senator May—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 632** and **SB 553**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

The Senate observed a moment of silence for former state representative Jack Buechner.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1366, regarding Jacque A. Cowherd, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 1367, regarding David M. Deets, Troy, which was adopted.

Senator Hough offered Senate Resolution No. 1368, regarding Springfield Board of Education, which was adopted.

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, former State Senator Judge Joe Keavney, St. Louis.

Senator Wallingford introduced to the Senate, Ome and Mateo Hayward, Cape Girardeau; and Mateo was made an honorary page.

Senator White introduced to the Senate, Chris Yaudas and Carrie Cline, Newton County Library, Neosho.

Senator Schupp introduced to the Senate, Audrey Bauer, Benjamin Hannah, Christopher Payne, Hale Rhodes, Molly Rufkahr, Isolde Scoville, Halle Kay Shelton, Austin Walker and Cyrus Zaiee, fourth-grade students, Rohan Woods Elementary School.

Senator Hegeman introduced to the Senate, Jane Brown, Kansas City.

Senator Burlison introduced to the Senate, Jennifer and Madison Edwards, Springfield; and Marla McKan, Willard.

Senator Rizzo introduced to the Senate, Ricky Kidd and Tricia Bushnell, Kansas City.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FOURTH DAY—WEDNESDAY, MARCH 11, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1009-Burlison	SB 1044-Crawford
SB 1010-Sater	SB 1045-Bernskoetter
SB 1011-Williams	SB 1046-Koenig
SB 1012-Wieland	SB 1047-O'Laughlin
SB 1013-Wieland	SB 1048-Burlison
SB 1014-Sifton	SB 1049-Burlison
SB 1015-Emery	SB 1050-Williams
SB 1016-Crawford	SB 1051-Eigel
SB 1017-Walsh	SB 1052-Eigel
SB 1018-Rizzo	SB 1053-Eigel
SB 1019-Rizzo	SB 1054-Cierpiot
SB 1020-Schatz	SB 1055-Rowden
SB 1021-O'Laughlin	SB 1056-Hegeman
SB 1022-O'Laughlin	SB 1057-Hegeman and Luetkemeyer
SB 1023-O'Laughlin	SB 1058-Brown
SB 1024-Riddle	SB 1059-Hough
SB 1025-Emery	SB 1060-Hough
SB 1026-O'Laughlin	SB 1061-Libla
SB 1027-O'Laughlin	SB 1062-Nasheed
SB 1028-White	SB 1063-O'Laughlin
SB 1029-Sater	SB 1064-O'Laughlin
SB 1030-Williams	SB 1065-O'Laughlin
SB 1031-Nasheed	SB 1066-O'Laughlin
SB 1032-Riddle	SB 1067-Sifton
SB 1033-Hegeman	SB 1068-Williams
SB 1034-Cierpiot	SB 1069-Williams
SB 1035-Emery	SB 1070-Williams
SB 1036-White	SB 1071-Williams
SB 1037-Walsh	SB 1072-Hough
SB 1038-Wallingford	SB 1073-Hough
SB 1039-Wallingford	SB 1074-Hoskins
SB 1040-Wallingford	SB 1075-Emery
SB 1041-Schupp	SB 1076-Emery
SB 1042-Nasheed	SB 1077-Onder
SB 1043-Emery	SB 1078-Onder

SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo
 SB 1082-Bernskoetter
 SB 1083-Brown

SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton
 HCS for HB 1959
 HB 1566-Burnett
 HCS for HB 1434
 HCS for HB 1488
 HB 1348-Baker
 HCS for HB 1655
 HB 1640-Taylor
 HB 2061-Christofanelli
 HCS for HBs 1387 & 1482
 HB 1418-McGill
 HB 1486-Rehder
 HCS for HB 1868
 HB 1873-Gregory
 HCS for HB 1696
 HCS for HB 1787
 HB 1694-Anderson
 HB 1421-Hudson
 HB 1559-Remole
 HCS for HB 1289
 HCS for HB 1293
 HCS for HB 1331
 HCS for HB 1333
 HCS for HB 1683
 HCS for HB 1600

HCS for HB 1912
 HCS for HB 1898
 HB 2199-Gannon
 HB 1800-Morris (140)
 HB 1468-Toalson Reisch
 HCS for HB 1540
 HB 1698-Henderson
 HB 1716-Morse (151)
 HCS for HB 2049
 HCS for HB 2120
 HB 1386-Murphy
 HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854
 HB 1903-Shields
 HCS for HJR 103

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman

SB 553-Wieland

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig

5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS

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| 9. SB 613-Emery, with SCS | 29. SB 739-Onder, with SCS |
| 10. SB 537-Libla | 30. SB 716-Burlison |
| 11. SB 572-Rowden | 31. SB 809-Brown, with SCS |
| 12. SB 748-White | 32. SB 797-Wieland, with SCS |
| 13. SB 696-Sifton | 33. SB 779-Crawford |
| 14. SB 595-Hough, with SCS | 34. SB 756-Sifton, with SCS |
| 15. SB 548-Hegeman | 35. SB 764-Onder, with SCS |
| 16. SB 703-Hoskins, with SCS | 36. SB 768-Onder, with SCS |
| 17. SB 605-O’Laughlin, with SCS | 37. SB 690-Cunningham |
| 18. SB 640-Onder | 38. SB 639-Riddle |
| 19. SJR 44-Eigel | 39. SB 576-Crawford, with SCS |
| 20. SB 647-Koenig, with SCS | 40. SB 615-Cunningham |
| 21. SB 578-Crawford, with SCS | 41. SB 586-Bernskoetter, with SCS |
| 22. SB 522-Sater | 42. SB 568-Hoskins, with SCS |
| 23. SJR 31-Sater | 43. SB 784-Wallingford |
| 24. SB 674-Brown | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 25. SB 661-Bernskoetter, with SCS | 45. SB 802-Hegeman |
| 26. SB 645-Hoskins, with SCS | 46. SJR 61-Nasheed, with SCS |
| 27. SB 625-Libla, with SCS | 47. SB 542-Nasheed, with SCS |
| 28. SB 633-Hegeman | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

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| SB 524-Sater | SB 558-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS & SA 1
(pending) | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 526-Emery, with SCS | SB 581-Cierpiot, with SCS |
| SB 529-Cunningham, with SCS | SB 592-White |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 608-May, with SCS |
| SB 531-Wallingford, with SS & SA 1
(pending) | SB 636-Wieland |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 648-Koenig, with SCS |
| SB 539-Libla, with SA 1 (pending) | SB 649-Eigel |
| SB 555-Riddle | SB 670-Hough, with SCS, SS for SCS & SA 1
(pending) |
| SB 557-Schatz, with SCS | SB 677-Luetkemeyer |
| | SJR 32-Sater |
| | SJR 40-Koenig |

HOUSE BILLS ON THIRD READING

SS for HB 1693-Rehder (Luetkemeyer)
(In Fiscal Oversight)

CONSENT CALENDAR

Senate Bills

Reported 3/5

SB 669-Hough

SB 866-Brown

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FOURTH DAY—WEDNESDAY, MARCH 11, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Reverend Carl Gauck offered the following prayer:

“May integrity and uprightness preserve me, for I wait for you.” (Psalm 25:21)

Heavenly Father, we know that things change and how we deal with that change speaks to our integrity as people of faith. You close some doors in our lives so that You may open others that offer new beginnings for us. Help us be Your people who enter the new with boldness and enthusiasm so we can bring about what You truly desire for us who call upon You for guidance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Arthur offered Senate Resolution No. 1369, regarding Grant Verhulst, Kansas City, which was

adopted.

Senator Arthur offered Senate Resolution No. 1370, regarding Kiley Daniels, Kansas City, which was adopted.

Senator Arthur offered Senate Resolution No. 1371, regarding Nicholas Pham, Kansas City, which was adopted.

Senator Hoskins offered Senate Resolution No. 1372, regarding Odessa High School Football Team, which was adopted.

Senator May offered Senate Resolution No. 1373, regarding Andrew Normington, which was adopted.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Wallingford submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 569**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Wallingford, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Bernskoetter.

REFERRALS

President Pro Tem Schatz referred **SS** for **SCS** for **SB 569** and **SS** for **SB 632** to the Committee on Fiscal Oversight.

RE-REFERRALS

President Pro Tem Schatz re-referred **HB 1435** to the Committee on Professional Registration.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 648**, with **SCS**, be called from the Informal Calendar taken up for perfection, which motion prevailed.

SCS for **SB 648**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 648

An Act to repeal sections 32.087, 135.550, 143.011, 143.441, 144.010, 144.011, 144.014, 144.020, 144.030, 144.043, 144.049, 144.054, 144.060, 144.069, 144.080, 144.083, 144.140, 144.190, 144.210, 144.285, 144.517, 144.526, 144.600, 144.605, 144.655, 144.710, 144.757, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, and 144.1015, RSMo, and to enact in lieu thereof twenty-nine new sections relating to taxation, with penalty provisions and an effective date.

Was taken up.

Senator Koenig moved that **SCS** for **SB 648** be adopted.

Senator Koenig offered **SS** for **SCS** for **SB 648**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 648

An Act to repeal sections 32.087, 32.310, 135.550, 143.011, 143.441, 144.011, 144.014, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526, 144.605, 144.710, 144.757, 144.759, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, and 144.1015, RSMo, and to enact in lieu thereof twenty-three new sections relating to taxation, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

Senator Koenig moved that **SS** for **SCS** for **SB 648** be adopted.

President Kehoe assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 22, Section 135.550, Line 11, by inserting after all of said line the following:

“137.106. 1. This section shall be known and may be cited as the “Missouri Homestead Preservation Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of revenue;

(2) “Director”, the director of revenue;

(3) “Disabled”, as such term is defined in section 135.010;

(4) “Eligible owner”, any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to this section; or

(a) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to this section did not exceed the maximum upper limit; or

(b) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered an eligible owner if each person with an ownership interest individually satisfies the eligibility requirements for an individual eligible owner under this section and the combined income of all individuals with an interest in the property is equal to or less than the maximum upper limit in the year prior to completing an application under this section. If any individual with an ownership interest in the property fails to satisfy the eligibility requirements of an individual eligible owner or if the combined income of all individuals with interest in the property exceeds the maximum upper limit, then all individuals with an ownership interest in

such property shall be deemed ineligible owners regardless of such other individual's ability to individually meet the eligibility requirements; or

(c) In the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in this subsection.

No individual shall be an eligible owner if the individual has not paid the individual's property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person filed a valid claim for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035;

(5) "Homestead", as such term is defined pursuant to section 135.010, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, except where an eligible owner of the property has made such improvements to accommodate a disabled person;

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection 7 of this section;

(7) "Income", federal adjusted gross income, and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;

(8) "Maximum upper limit", in the calendar year 2021, the income sum of ninety thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to Article X, Section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to Article X, Section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. Any potential eligible owner may apply for the homestead exemption credit by completing an

application. Applications may be completed between April first and October fifteenth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value.

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

5. Each applicant shall send the application to the department by October fifteenth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

6. Upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.

7. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

8. If, in any given year, the general assembly makes an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall determine the apportionment percentage by equally apportioning the appropriation among all eligible applicants on a percentage basis. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

9. After determining the apportionment percentage, the director shall calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

10. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

11. In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to January first of the year in which the credit would otherwise be applied, the credit shall be void and any corresponding moneys shall lapse to the state to be credited to the general revenue fund. In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys shall lapse to the state to be credited to the general revenue fund.

12. This section shall apply to all tax years beginning on or after January 1, 2021.

13. In accordance with the provisions of sections 23.250 to 23.298 and unless otherwise authorized pursuant to section 23.253:

(1) The program authorized under the provisions of this section shall automatically sunset six

years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Eigel offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 9, Line 12, by inserting after all of said line the following:

“Further amend said bill, page 26, section 143.011, line 3, by inserting after all of said line the following:

“143.021. 1. Every resident having a taxable income shall determine his or her tax from the rates provided in section 143.011. There shall be no tax on a taxable income of less than one hundred dollars.

2. (1) Notwithstanding the provisions of subsection 1 of section 143.011 to the contrary, for all tax years beginning on or after January 1, 2021, there shall be no tax on a taxable income of less than two thousand dollars, as adjusted pursuant to subsection 4 of section 143.011.

(2) The modification of the tax rates pursuant to this subsection shall only apply to tax years that begin on or after the date the modification takes place.

(3) The director of revenue shall, by rule, adjust the tax table provided in subsection 1 of section 143.011 to effectuate the provisions of this subsection.”; and”.

Senator Eigel moved that the above amendment be adopted.

Senator Eigel requested a roll call vote be taken. He was joined in his request by Senators Burlison, Hoskins, Onder and Wallingford.

At the request of Senator Eigel SA 1 to SA 1 was withdrawn.

Senator Eigel offered SA 2 to SA 1:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 9, Line 12, by inserting after all of said line the following:

“Further amend said bill, page 26, section 143.011, line 3, by inserting after all of said line the following:

“143.021. 1. Every resident having a taxable income shall determine his or her tax from the rates provided in section 143.011. There shall be no tax on a taxable income of less than one hundred dollars.

2. (1) Notwithstanding the provisions of subsection 1 of section 143.011 to the contrary, for all tax

years beginning on or after January 1, 2022, there shall be no tax on a taxable income of less than two thousand dollars, as adjusted pursuant to subsection 5 of section 143.011.

(2) The modification of the tax rates pursuant to this subsection shall only apply to tax years that begin on or after the date the modification takes place.

(3) The director of revenue shall, by rule, adjust the tax table provided in subsection 1 of section 143.011 to effectuate the provisions of this subsection.”; and”.

Senator Eigel moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Burlison, Hoskins, Onder and Wallingford.

SA 2 to SA 1 was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Sifton moved that SA 1, as amended, be adopted, which motion prevailed.

Senator Hough assumed the chair.

Senator Schupp offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 32, Section 144.014, Line 2 of said page, by inserting immediately after said line the following:

“144.016. 1. This act shall be known and may be cited as the “Personal Period Products and Diaper Sales Tax Relief Act”.

2. Beginning October 1, 2020, the tax levied and imposed under this chapter on all retail sales of feminine hygiene products, diapers, and incontinence products shall be levied at a rate that shall not exceed the sales tax rate levied on the retail sale of food under section 144.014.

3. For purposes of this section, the following terms mean:

(1) “Diapers”, absorbent garments worn by infants or toddlers who are not toilet-trained or by individuals who are incapable of controlling their bladder or bowel movements;

(2) “Feminine hygiene products”, tampons, pads, liners, and cups;

(3) “Incontinence products”, products designed specifically for hygiene matters related to urinary incontinence, including but not limited to, adult diapers.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Arthur, Rizzo, Walsh and Williams.

SA 2 was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Cierpiot	Cunningham	Hough	Koenig	Luetkemeyer
May	Nasheed	Rizzo	Rowden	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—18			

NAYS—Senators

Brown	Burlison	Eigel	Emery	Hegeman	Hoskins	Libla
O’Laughlin	Onder	Sater	Schatz—11			

Absent—Senators

Crawford	Riddle—2
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Absent with leave—Senators—None

Vacancies—3

President Kehoe assumed the Chair.

Senator May offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 26, Section 143.011, Line 3, by inserting after all of said line the following:

“143.177. 1. This section shall be known and may be cited as the “Missouri Working Family Tax Credit Act”.

2. For purposes of this section, the following terms mean:

(1) “Department”, the department of revenue;

(2) “Eligible taxpayer”, a resident individual with a filing status of single, head of household, widowed, or married filing combined who is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, and who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended;

(3) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all tax years beginning on or after January 1, 2021, an eligible taxpayer shall be allowed a tax credit in an amount equal to twenty percent of the amount such taxpayer would receive under the federal earned income tax credit. The tax credit allowed by this section shall be claimed by such

taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. If the amount of the credit exceeds the tax liability, the difference shall be refunded to the taxpayer and shall not be carried forward to any subsequent tax year.

4. Notwithstanding the provisions of section 32.057 to the contrary, the department shall determine whether any taxpayer filing a report or return with the department who did not apply for the credit authorized under this section may qualify for the credit and if so, determines a taxpayer may qualify for the credit, shall notify such taxpayer of his or her potential eligibility. In making a determination of eligibility under this section, the department shall use any appropriate and available data including, but not limited to, data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.

5. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended, the number of credits claimed, and the average value of the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

6. The director of the department may promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

7. Tax credits authorized under this section are not subject to the requirements of sections 135.800 to 135.830.

8. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Eigel offered SA 1 to SA 3:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 143.177, Line 21, by inserting after all of said line the following:

“Further amend said bill, page 76, section 144.759, line 19 by inserting after all of said line the following:

“Section 1. Notwithstanding the provisions of subsection 1 of section 143.011 to the contrary, for all tax years beginning on or after January 1, 2022, there shall be no tax on a taxable income of less than three thousand dollars, as adjusted pursuant to subsection 5 of section 143.011.

(2) The modification of the tax rates pursuant to this subsection shall only apply to tax years that begin on or after the date the modification takes place.

(3) The director of revenue shall, by rule, adjust the tax table provided in subsection 1 of section 143.011 to effectuate the provisions of this subsection.”; and”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted, which motion prevailed.

Senator May moved that **SA 3**, as amended, be adopted, which motion prevailed.

Senator Libla offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 22, Section 135.550, Line 11, by inserting after all of said line the following:

“142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel **other than gasoline and diesel fuel**, seventeen cents per gallon;

(2) **Gasoline, nineteen cents per gallon;**

(3) **Diesel fuel, twenty-three cents per gallon;**

(4) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

[(3)] **(5) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;**

[(4)] **(6) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;**

[(5)] (7) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

[(6)] (8) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

[(7)] (9) If a natural gas, compressed natural gas, liquefied natural gas, electric, or propane connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, liquefied natural gas, electricity, or propane used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.”; and

Further amend said bill, page 80, section B, line 1, by inserting after the word “emergency” the following: “and because immediate action is necessary to provide funding for transportation in this state”; and further amend line 2 by inserting after “33.575” the following: “and the repeal and reenactment of section 142.803”; and further amend line 5 by inserting after “33.575” the following: “and the repeal and reenactment of section 142.803”; and

Further amend the title and enacting clause accordingly.

Senator Libla moved that the above amendment be adopted.

Senator Eigel requested that a roll call vote be taken on the adoption of **SA 4**. He was joined in his request by Senators Burlison, Koenig, Onder and Wallingford.

At the request of Senator Koenig **SS** for **SCS** for **SB 648** was withdrawn, rendering **SA 2** to **SA 1**, **SA 1**, as amended, **SA 2**, **SA 1** to **SA 3**, **SA 3**, as amended and **SA 4** moot.

Senator Koenig offered **SS No. 2** for **SCS** for **SB 648**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 648

An Act to repeal sections 32.087, 32.310, 135.550, 143.011, 143.441, 144.011, 144.014, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526, 144.605, 144.710, 144.757, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, and 144.1015, RSMo, and to enact in lieu thereof twenty-two new sections

relating to taxation, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

Senator Koenig moved that **SS No. 2** for **SCS** for **SB 648** be adopted.

Senator Koenig offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 648, Page 16, Section 32.310, Line 9, by inserting after the second use of “the” the following: **“sales or use”**; and further amend line 10 by striking “under the local sales tax law”; and

Further amend said bill, pages 18-21, section 135.550, by striking all of said section and inserting in lieu thereof the following:

“135.550. 1. As used in this section, the following terms shall mean:

(1) “Contribution”, a donation of cash, stock, bonds or other marketable securities, or real property;

(2) “Shelter for victims of domestic violence”, a facility located in this state which meets the definition of a shelter for victims of domestic violence pursuant to section 455.200 and which meets the requirements of section 455.220, **or a nonprofit organization established and operating exclusively for the purpose of supporting a shelter for victims of domestic violence operated by the state or one of its political subdivisions;**

(3) **“Rape crisis center”, a community-based nonprofit rape crisis center, as defined in section 455.003, located in this state and that provides the twenty-four hour core services of hospital advocacy and crisis hotline support to survivors of rape and sexual assault;**

[(3)] (4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143;

[(4)] (5) “Taxpayer”, a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer’s state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter for victims of domestic violence **or rape crisis center for all fiscal years ending on or before June 30, 2021, and seventy percent of the**

amount such taxpayer contributed to a shelter for victims of domestic violence or rape crisis center for all fiscal years beginning on or after July 1, 2021.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence **or rape crisis center** in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as shelters for victims of domestic violence **and rape crisis centers**. The director of the department of social services may require of a facility seeking to be classified as a shelter for victims of domestic violence **or rape crisis center** whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a shelter for victims of domestic violence **or rape crisis center** if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a shelter for victims of domestic violence **or rape crisis center**, and by which such taxpayer can then contribute to such shelter for victims of domestic violence **or rape crisis center** and claim a tax credit. Shelters for victims of domestic violence **and rape crisis centers** shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to shelters for victims of domestic violence **and rape crisis centers** in any one fiscal year shall not exceed two million dollars **for all fiscal years ending on or before June 30, 2021. For all fiscal years beginning on or after July 1, 2021, there shall be no limit imposed on the cumulative amount of tax credits that may be claimed by all taxpayers contributing to shelters for victims of domestic violence and rape crisis centers under the provisions of this section.**

7. **For all fiscal years ending on or before June 30, 2021**, the director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as shelters for victims of domestic violence **and rape crisis centers**. If a shelter for victims of domestic violence **or rape crisis center** fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those shelters for victims of domestic violence **and rape crisis centers** that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits

available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

137.106. 1. This section shall be known and may be cited as the “Missouri Homestead Preservation Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of revenue;

(2) “Director”, the director of revenue;

(3) “Disabled”, as such term is defined in section 135.010;

(4) “Eligible owner”, any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to this section; or

(a) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to this section did not exceed the maximum upper limit; or

(b) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered an eligible owner if each person with an ownership interest individually satisfies the eligibility requirements for an individual eligible owner under this section and the combined income of all individuals with an interest in the property is equal to or less than the maximum upper limit in the year prior to completing an application under this section. If any individual with an ownership interest in the property fails to satisfy the eligibility requirements of an individual eligible owner or if the combined income of all individuals with interest in the property exceeds the maximum upper limit, then all individuals with an ownership interest in such property shall be deemed ineligible owners regardless of such other individual’s ability to individually meet the eligibility requirements; or

(c) In the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner’s spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in this subsection.

No individual shall be an eligible owner if the individual has not paid the individual’s property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year shall not disqualify a potential eligible owner if

such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person filed a valid claim for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035;

(5) “Homestead”, as such term is defined pursuant to section 135.010, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, except where an eligible owner of the property has made such improvements to accommodate a disabled person;

(6) “Homestead exemption limit”, a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection 7 of this section;

(7) “Income”, federal adjusted gross income, and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;

(8) “Maximum upper limit”, in the calendar year 2021, the income sum of ninety thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to Article X, Section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer’s tax bill for the current tax year, or on a document enclosed with the taxpayer’s bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to Article X, Section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. Any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April first and October fifteenth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department’s internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant’s age;
- (2) That the applicant’s prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;

(4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value.

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

5. Each applicant shall send the application to the department by October fifteenth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

6. Upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.

7. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

8. If, in any given year, the general assembly makes an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall determine the apportionment percentage by equally apportioning the appropriation among all eligible applicants on a percentage basis. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

9. After determining the apportionment percentage, the director shall calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the

collector of the county or treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

10. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

11. In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to January first of the year in which the credit would otherwise be applied, the credit shall be void and any corresponding moneys shall lapse to the state to be credited to the general revenue fund. In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys shall lapse to the state to be credited to the general revenue fund.

12. This section shall apply to all tax years beginning on or after January 1, 2021.

13. In accordance with the provisions of sections 23.250 to 23.298 and unless otherwise authorized pursuant to section 23.253:

(1) The program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal.”; and

Further amend said bill, section 143.011, page 25, line 20, by inserting after all of said line the following:

“143.177. 1. This section shall be known and may be cited as the “Missouri Working Family Tax Credit Act”.

2. For purposes of this section, the following terms mean:

(1) “Department”, the department of revenue;

(2) “Eligible taxpayer”, a resident individual with a filing status of single, head of household, widowed, or married filing combined who is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, and who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended;

(3) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all tax years beginning on or after January 1, 2022, an eligible taxpayer shall be allowed a tax credit in an amount equal to five percent of the amount such taxpayer would receive under the federal earned income tax credit. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. If the amount of the credit exceeds the tax liability, the difference shall not be refunded to the taxpayer and shall not be carried forward to any subsequent tax year.

4. Notwithstanding the provisions of section 32.057 to the contrary, the department shall determine whether any taxpayer filing a report or return with the department who did not apply for the credit authorized under this section may qualify for the credit and, if so, determines a taxpayer may qualify for the credit, shall notify such taxpayer of his or her potential eligibility. In making a determination of eligibility under this section, the department shall use any appropriate and available data including, but not limited to, data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.

5. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended, the number of credits claimed, and the average value of the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

6. The director of the department may promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

7. Tax credits authorized under this section are not subject to the requirements of sections 135.800 to 135.830.

8. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically

sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, section 144.014, page 31, line 19, by inserting after all of said line the following:

“144.016. 1. This act shall be known and may be cited as the “Personal Period Products Sales Tax Relief Act”.

2. Beginning October 1, 2020, the tax levied and imposed under this chapter on all retail sales of feminine hygiene products shall be levied at a rate that shall not exceed the sales tax rate levied on the retail sale of food under section 144.014.

3. For purposes of this section, “feminine hygiene products” shall mean tampons, pads, liners, and cups.”; and

Further amend said bill, section 144.140, page 47, by striking all of said section and inserting in lieu thereof the following:

“144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. The director shall provide a monetary allowance from the taxes collected to a certified service provider under the terms of the certified service contract signed with the provider, provided that such allowance shall be funded entirely from money collected by the certified service provider.

3. Any certified service provider receiving an allowance under subsection 2 of this section shall not be entitled to simultaneously deduct the allowance provided for under subsection 1 of this section.

4. For the purposes of this section, “certified service provider” shall mean an agent certified by the department of revenue to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases.”; and

Further amend said bill, section 144.757, pages 67-72, by striking all of said section and inserting in lieu thereof the following:

“144.757. 1. Any county or municipality[, except municipalities within a county having a charter form of government with a population in excess of nine hundred thousand,] may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085 or if a sales tax is imposed pursuant to sections 94.850 or 94.890, with such local use tax imposed at a rate equal to the rate of the local sales tax [in effect in] and any sales tax imposed pursuant to sections 94.850 or 94.890 by such county or municipality; provided, however, that no ordinance or order enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state general, primary or special election a proposal to authorize the governing body of the county or municipality to impose a local use tax pursuant to sections 144.757 to 144.761. [Municipalities within a county having a charter form of government with a population in excess of nine hundred thousand may, upon voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal

sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890 for distribution of all municipal use taxes.

2.] (1) The ballot of submission[, except for counties and municipalities described in subdivisions (2) and (3) of this subsection,] shall contain substantially the following language:

Shall the _____ (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, [currently _____ (insert percent),] provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) [(a) The ballot of submission in a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

For the purposes of enhancing county and municipal public safety, parks, and job creation and enhancing local government services, shall the county be authorized to collect a local use tax equal to the total of the existing county sales tax rate of (insert tax rate), provided that if the county sales tax is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed, reduced or raised by the same voter action? Fifty percent of the revenue shall be used by the county throughout the county for improving and enhancing public safety, park improvements, and job creation, and fifty percent shall be used for enhancing local government services. The county shall be required to make available to the public an audited comprehensive financial report detailing the management and use of the countywide portion of the funds each year.

A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers and on certain taxable business transactions. A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(b) The ballot of submission in a municipality within a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3)] The ballot of submission in any city not within a county shall contain substantially the following language:

Shall the _____ (city name) impose a local use tax at the same rate as the local sales tax, [currently at a rate of _____ (insert percent)] which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **An approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

[(4)] 2. If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

4. For purposes of sections 144.757 to 144.761, the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a description shall not change the classification, form or subject of the use tax or the manner in which it is collected.

144.759. 1. All local use taxes collected by the director of revenue pursuant to sections 144.757 to 144.761 on behalf of any county or municipality, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in

section 32.087 shall be deposited with the state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county or municipality imposing a local use tax, and the records shall be open to the inspection of officers of the county or municipality and to the public. No later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month, except as provided in subsection 2 of this section, to the county or municipality treasurer, or such other officer as may be designated by the county or municipality ordinance or order, of each county or municipality imposing the tax authorized by sections 144.757 to 144.761, the sum due the county or municipality as certified by the director of revenue.

2. Subject to the provisions of subsection 1 of this section, the director of revenue shall distribute all moneys which would be due any county having a charter form of government and having a population of nine hundred thousand or more to the county treasurer or such other officer as may be designated by county ordinance, who shall distribute [such moneys as follows: the] **that** portion of the use [tax] **taxes** imposed by the county [which equals one-half the rate of sales tax in effect for such county shall be disbursed to the county treasurer for expenditure throughout the county for public safety, parks, and job creation, subject to any qualifications and regulations adopted by ordinance of the county. Such ordinance shall require an audited comprehensive financial report detailing the management and use of such funds each year. Such ordinance shall also require that the county and the municipal league of the county jointly prepare a strategy to guide expenditures of funds and conduct an annual review of the strategy. The treasurer or such other officer as may be designated by county ordinance shall distribute one-third of the balance to the county and to each city, town and village in group B according to section 66.620 as modified by this section, a portion of the two-thirds remainder of such balance equal to the percentage ratio that the population of each such city, town or village bears to the total population of all such group B cities, towns and villages. For the purposes of this subsection, population shall be determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purposes of this subsection, each city, town or village in group A according to section 66.620 but whose per capita sales tax receipts during the preceding calendar year pursuant to sections 66.600 to 66.630 were less than the per capita countywide average of all sales tax receipts during the preceding calendar year, shall be treated as a group B city, town or village until the per capita amount distributed to such city, town or village equals the difference between the per capita sales tax receipts during the preceding calendar year and the per capita countywide average of all sales tax receipts during the preceding calendar year] **that is equal to the rate of sales taxes imposed by the county pursuant to sections 66.600 and 67.547 to the cities, towns, and villages within such county and to the unincorporated area of the county on the ratio of the population that each such city, town, village, and the unincorporated areas of the county bears to the total population of the county.**

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties or municipalities. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of

the tax in such county or municipality, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

4. Except as modified in sections 144.757 to 144.761, all provisions of sections 32.085 and 32.087 applicable to the local sales tax, except for subsection 12 of section 32.087, and all provisions of sections 144.600 to 144.745 shall apply to the tax imposed pursuant to sections 144.757 to 144.761, and the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax.”; and

Further amend said bill, section C, page 76, line 11, by striking “and 144.710” and inserting in lieu thereof the following: “144.710, and 144.759”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted.

Senator Arthur offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 13, Line 20, by inserting after “143.011,” the following: “page 24, line 10, by striking “eleven-hundredths” and inserting in lieu thereof the following: “**fifty-five thousandths**”; and

Further amend said bill and section,”; and

Further amend said amendment, page 14, line 9, by striking “five” and inserting in lieu thereof the following: “**twenty**”.

Senator Arthur moved that the above amendment be adopted.

Senator Walsh requested a roll call vote be taken. She was joined in her request by Senators Arthur, May, Nasheed and Schupp.

SA 1 to **SA 1** failed of adoption by the following vote:

YEAS—Senators

Arthur	Cierpiot	Cunningham	Hough	May	Nasheed	Rizzo
Rowden	Schupp	Sifton	Walsh	Williams—12		

NAYS—Senators

Bernskoetter	Burlison	Crawford	Eigel	Emery	Hegeman	Hoskins
Koenig	Libla	Luetkemeyer	O’Laughlin	Onder	Sater	Schatz
Wallingford	White	Wieland—17				

Absent—Senators

Brown	Riddle—2
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Absent with leave—Senators—None

Vacancies—3

Senator Hegeman assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Koenig, **SB 648**, with **SCS, SS No. 2** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1374, regarding Tyler Hanke, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1375, regarding David and Jeanne Heise, Cape Girardeau, which was adopted.

Senator Eigel offered Senate Resolution No. 1376, regarding Russell J. Haemmerle, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 1377, regarding Paul Luther Vipond, St. Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 1378, regarding Albert Francis “Al” Becherer, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1379, regarding John “Jack” Joseph Billings, Overland, which was adopted.

Senator Schupp offered Senate Resolution No. 1380, regarding Joe Garnet Wilson, St. Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1381, regarding Johnny Murrell, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1382, regarding Garland G. Barton, Alton, which was adopted.

INTRODUCTION OF GUESTS

Senator Hegeman introduced to the Senate, Lydia and Brooks Hurst, Tarkio.

Senator O’Laughlin introduced to the Senate, Lynn Perrigo, Leonard.

Senator Walsh introduced to the Senate, representatives of the League of Women Voters, St. Louis County.

Senator Rowden introduced to the Senate, Mark Satterwhite and representatives from Boone County Resource Center.

Senator Libla introduced to the Senate, representatives of Sheriff’s Departments from across Missouri.

Senator White introduced to the Senate, representatives of Leadership Joplin 2020.

Senator Schupp introduced to the Senate, Andrea Carter and Eric Button, St. Louis County Library.

Senator Bernskoetter introduced to the Senate, the Physician of the Day, Dr. George Hubbell, Osage Beach.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIFTH DAY—THURSDAY, MARCH 12, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1009-Burlison	SB 1041-Schupp
SB 1010-Sater	SB 1042-Nasheed
SB 1011-Williams	SB 1043-Emery
SB 1012-Wieland	SB 1044-Crawford
SB 1013-Wieland	SB 1045-Bernskoetter
SB 1014-Sifton	SB 1046-Koenig
SB 1015-Emery	SB 1047-O'Laughlin
SB 1016-Crawford	SB 1048-Burlison
SB 1017-Walsh	SB 1049-Burlison
SB 1018-Rizzo	SB 1050-Williams
SB 1019-Rizzo	SB 1051-Eigel
SB 1020-Schatz	SB 1052-Eigel
SB 1021-O'Laughlin	SB 1053-Eigel
SB 1022-O'Laughlin	SB 1054-Cierpiot
SB 1023-O'Laughlin	SB 1055-Rowden
SB 1024-Riddle	SB 1056-Hegeman
SB 1025-Emery	SB 1057-Hegeman and Luetkemeyer
SB 1026-O'Laughlin	SB 1058-Brown
SB 1027-O'Laughlin	SB 1059-Hough
SB 1028-White	SB 1060-Hough
SB 1029-Sater	SB 1061-Libla
SB 1030-Williams	SB 1062-Nasheed
SB 1031-Nasheed	SB 1063-O'Laughlin
SB 1032-Riddle	SB 1064-O'Laughlin
SB 1033-Hegeman	SB 1065-O'Laughlin
SB 1034-Cierpiot	SB 1066-O'Laughlin
SB 1035-Emery	SB 1067-Sifton
SB 1036-White	SB 1068-Williams
SB 1037-Walsh	SB 1069-Williams
SB 1038-Wallingford	SB 1070-Williams
SB 1039-Wallingford	SB 1071-Williams
SB 1040-Wallingford	SB 1072-Hough

SB 1073-Hough
 SB 1074-Hoskins
 SB 1075-Emery
 SB 1076-Emery
 SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo

SB 1081-Rizzo
 SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

HOUSE BILLS ON SECOND READING

HB 1631-Deaton
 HCS for HB 1959
 HB 1566-Burnett
 HCS for HB 1434
 HCS for HB 1488
 HB 1348-Baker
 HCS for HB 1655
 HB 1640-Taylor
 HB 2061-Christofanelli
 HCS for HBs 1387 & 1482
 HB 1418-McGill
 HB 1486-Rehder
 HCS for HB 1868
 HB 1873-Gregory
 HCS for HB 1696
 HCS for HB 1787
 HB 1694-Anderson
 HB 1421-Hudson
 HB 1559-Remole
 HCS for HB 1289
 HCS for HB 1293
 HCS for HB 1331
 HCS for HB 1333
 HCS for HB 1683
 HCS for HB 1600

HCS for HB 1912
 HCS for HB 1898
 HB 2199-Gannon
 HB 1800-Morris (140)
 HB 1468-Toalson Reisch
 HCS for HB 1540
 HB 1698-Henderson
 HB 1716-Morse (151)
 HCS for HB 2049
 HCS for HB 2120
 HB 1386-Murphy
 HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854
 HB 1903-Shields
 HCS for HJR 103

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman (In Fiscal Oversight)
 SB 553-Wieland

SS for SCS for SB 569-Koenig
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 590-Burlison, with SCS | 25. SB 661-Bernskoetter, with SCS |
| 2. SB 559-Schatz, with SCS | 26. SB 645-Hoskins, with SCS |
| 3. SB 583-Arthur, with SCS | 27. SB 625-Libla, with SCS |
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| 5. SBs 675 & 705-Luetkemeyer, with SCS | 29. SB 739-Onder, with SCS |
| 6. SJRs 48, 41 & 43-Luetkemeyer, with SCS | 30. SB 716-Burlison |
| 7. SB 699-Riddle, with SCS | 31. SB 809-Brown, with SCS |
| 8. SB 714-Burlison, with SCS | 32. SB 797-Wieland, with SCS |
| 9. SB 613-Emery, with SCS | 33. SB 779-Crawford |
| 10. SB 537-Libla | 34. SB 756-Sifton, with SCS |
| 11. SB 572-Rowden | 35. SB 764-Onder, with SCS |
| 12. SB 748-White | 36. SB 768-Onder, with SCS |
| 13. SB 696-Sifton | 37. SB 690-Cunningham |
| 14. SB 595-Hough, with SCS | 38. SB 639-Riddle |
| 15. SB 548-Hegeman | 39. SB 576-Crawford, with SCS |
| 16. SB 703-Hoskins, with SCS | 40. SB 615-Cunningham |
| 17. SB 605-O'Laughlin, with SCS | 41. SB 586-Bernskoetter, with SCS |
| 18. SB 640-Onder | 42. SB 568-Hoskins, with SCS |
| 19. SJR 44-Eigel | 43. SB 784-Wallingford |
| 20. SB 647-Koenig, with SCS | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 21. SB 578-Crawford, with SCS | 45. SB 802-Hegeman |
| 22. SB 522-Sater | 46. SJR 61-Nasheed, with SCS |
| 23. SJR 31-Sater | 47. SB 542-Nasheed, with SCS |
| 24. SB 674-Brown | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 524-Sater | SB 557-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS & SA 1
(pending) | SB 558-Schatz, with SCS |
| SB 526-Emery, with SCS | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 529-Cunningham, with SCS | SB 581-Cierpiot, with SCS |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 592-White |
| SB 531-Wallingford, with SS & SA 1 (pending) | SB 608-May, with SCS |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 636-Wieland |
| SB 539-Libla, with SA 1 (pending) | SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending) |
| SB 555-Riddle | SB 649-Eigel |
| | SB 670-Hough, with SCS, SS for SCS & SA 1
(pending) |

SB 677-Luetkemeyer
SJR 32-Sater

SJR 40-Koenig

HOUSE BILLS ON THIRD READING

SS for HB 1693-Rehder (Luetkemeyer)
(In Fiscal Oversight)

CONSENT CALENDAR

Senate Bills

Reported 3/5

SB 669-Hough

SB 866-Brown

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIFTH DAY—THURSDAY, MARCH 12, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“How precious is your steadfast love, O Lord! All people may take refuge in the Shadow of your wings.” (Psalm 36:7)

O’Lord, as we finish another week we are grateful what we were able to accomplish and pray that it carries Your blessings. May our time with You be special and may we take comfort in Your love and caring for us and our families. May our words speak and bring comfort to those who are ill and may Your healing spirit flow through those who are suffering and Lord provide protection from Covid 19 for our nation and our world. And may we always sing Your praise for the gift of our loved ones given to us. Bless us with Your presence, we ask and watch over “our going out and coming in” this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1383, regarding Robert W. “Bob” Gerdes, St. Peters, which was adopted.

Senator Onder offered Senate Resolution No. 1384, regarding Wendell Joseph Boschert, St. Peters, which was adopted.

Senator Onder offered Senate Resolution No. 1385, regarding Glen D. Boschert, St. Peters, which was adopted.

Senator Riddle offered Senate Resolution No. 1386, regarding Zachary Templeton, Mexico, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1387, regarding Two Hundredth Anniversary of Gasconade County, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1388, regarding the One Hundredth Anniversary of American Legion Post 5 Auxiliary, Jefferson City, which was adopted.

Senator Eigel offered Senate Resolution No. 1389, regarding John “Jack” Cletus Boschert, St. Charles, which was adopted.

Senator White offered Senate Resolution No. 1390, regarding Captain Mike Adel, which was adopted.

Senator Wallingford offered Senate Resolution No. 1391, regarding Cape First Church, Cape Girardeau, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Harold M. Miles, Republican and Jay B. Knudtson, Republican, as members of the State Banking and Savings and Loan Board; and

Lydia Hurst, Republican, as a member of the Northwest Missouri State University Board of Regents.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS No. 2** for **HB 1693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 831**, begs leave to

report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 913**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 996**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 852**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 780**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 782**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 867**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

On behalf of Senator Walsh, Chairman of the Committee on Progress and Development, Senator Rizzo submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 885**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 665**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 620**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 701**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator White, Chairman of the Committee on Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 896**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SJR 59**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 857**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 33**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 612**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Koenig, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 704**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SB 553, introduced by Senator Wieland, entitled:

An Act to repeal sections 443.717, 443.825, and 443.857, RSMo, and to enact in lieu thereof three new sections relating to mortgage broker licensing.

Was taken up.

On motion of Senator Wieland, **SB 553** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 669, introduced by Senator Hough, entitled:

An Act to repeal section 385.015, RSMo, and to enact in lieu thereof one new section relating to insurance written in connection with credit transactions.

Was called from the Consent Calendar and taken up.

On motion of Senator Hough, **SB 669** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hough, title to the bill was agreed to.

Senator Hough moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 866, introduced by Senator Brown, entitled:

An Act to repeal sections 190.094, 190.105, 190.143, and 190.196, RSMo, and to enact in lieu thereof four new sections relating to physician assistants.

Was called from the Consent Calendar and taken up.

On motion of Senator Brown, **SB 866** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Luetkemeyer moved that **SS No. 2** for **HB 1693** be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS No. 2 for **HB 1693** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Cierpiot	Cunningham	Hegeman	Hough	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Walsh	White	Wieland	Williams—21

NAYS—Senators

Bernskoetter	Burlison	Crawford	Eigel	Emery	Hoskins	Koenig
Onder	Riddle	Wallingford—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1419**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to random acts of kindness day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1454**, entitled:

An Act to amend chapter 42, RSMo, by adding thereto one new section relating to veterans' affairs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1414**, entitled:

An Act to repeal sections 210.145 and 210.566, RSMo, and to enact in lieu thereof three new sections relating to the protection of children.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2 for HB 1896**, entitled:

An Act to amend chapters 191 and 195, RSMo, by adding thereto three new sections relating to medical marijuana.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1682**, entitled:

An Act to repeal section 191.775, RSMo, and to enact in lieu thereof one new section relating to permissible usage of vapor products in public schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1804**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to assistance for applicants for permits issued by the department of natural resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1009—Professional Registration.

SB 1010—Health and Pensions.

SB 1011—Judiciary and Civil and Criminal Jurisprudence.

SB 1012—Insurance and Banking.

SB 1013—Insurance and Banking.

SB 1014—General Laws.

SB 1015—Transportation, Infrastructure and Public Safety.

SB 1016—Professional Registration.

SB 1017—Progress and Development.

SB 1018—Judiciary and Civil and Criminal Jurisprudence.

SB 1019—Ways and Means.

SB 1020—Commerce, Consumer Protection, Energy and the Environment.

SB 1021—Government Reform.

SB 1022—Education.

SB 1023—Local Government and Elections.

SB 1024—Health and Pensions.

SB 1025—Government Reform.

SB 1026—Seniors, Families and Children.

SB 1027—Transportation, Infrastructure and Public Safety.

SB 1028—Judiciary and Civil and Criminal Jurisprudence.

SB 1029—Economic Development.

SB 1030—Judiciary and Civil and Criminal Jurisprudence.

SB 1031—Judiciary and Civil and Criminal Jurisprudence.

SB 1032—Health and Pensions.

SB 1033—Local Government and Elections.

SB 1034—Health and Pensions.

SB 1035—Commerce, Consumer Protection, Energy and the Environment.

SB 1036—Veterans and Military Affairs.

SB 1037—Seniors, Families and Children.

SB 1038—Judiciary and Civil and Criminal Jurisprudence.

SB 1039—Commerce, Consumer Protection, Energy and the Environment.

SB 1040—Commerce, Consumer Protection, Energy and the Environment.

SB 1041—Health and Pensions.

SB 1042—Education.

SB 1043—Small Business and Industry.

SB 1044—Commerce, Consumer Protection, Energy and the Environment.

SB 1045—Government Reform.

SB 1046—Transportation, Infrastructure and Public Safety.

SB 1047—Judiciary and Civil and Criminal Jurisprudence.

SB 1048—Commerce, Consumer Protection, Energy and the Environment.

SB 1049—Health and Pensions.

SB 1050—Commerce, Consumer Protection, Energy and the Environment.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1631—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 1959—Transportation, Infrastructure and Public Safety.

HB 1566—General Laws.

HCS for HB 1434—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 1488—Judiciary and Civil and Criminal Jurisprudence.

HB 1348—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1655—General Laws.

HB 1640—General Laws.

HB 2061—General Laws.

HCS for HBs 1387 & 1482—Seniors, Families and Children.

HB 1418—Transportation, Infrastructure and Public Safety.

HB 1486—General Laws.

HCS for HB 1868—Education.

HB 1873—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1696—Local Government and Elections.

HCS for HB 1787—Local Government and Elections.

HB 1694—Commerce, Consumer Protection, Energy and the Environment.

HB 1421—General Laws.

HB 1559—Small Business and Industry.

HCS for HB 1289—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1293—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1331—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1333—Transportation, Infrastructure and Public Safety.

HCS for HB 1683—Seniors, Families and Children.

HCS for HB 1600—Local Government and Elections.

HCS for HB 1912—Transportation, Infrastructure and Public Safety.

HCS for HB 1898—Judiciary and Civil and Criminal Jurisprudence.

HB 2199—Seniors, Families and Children.

HB 1800—Veterans and Military Affairs.

HB 1468—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1540—Education.

HB 1698—Local Government and Elections.

HB 1716—General Laws.

HCS for HB 2049—Government Reform.

HCS for HB 2120—Commerce, Consumer Protection, Energy and the Environment.

HB 1386—Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1752**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to working animals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1744**, entitled:

An Act to repeal section 302.171, RSMo, and to enact in lieu thereof one new section relating to Missouri driver's licenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

On behalf of Senator White, the President introduced to the Senate, Lt. Dan Callandro, Joplin.

Senator White introduced to the Senate, Commandant Joseph "Joe" Karr, Marine Corps League, Joplin.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Friday, March 20, 2020.

SENATE CALENDAR

THIRTY-SIXTH DAY—FRIDAY, MARCH 20, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel

SB 1052-Eigel

SB 1053-Eigel

SB 1054-Cierpiot

SB 1055-Rowden

SB 1056-Hegeman

SB 1057-Hegeman and Luetkemeyer

SB 1058-Brown

SB 1059-Hough

SB 1060-Hough

SB 1061-Libla

SB 1062-Nasheed

SB 1063-O'Laughlin

SB 1064-O'Laughlin

SB 1065-O’Laughlin
 SB 1066-O’Laughlin
 SB 1067-Sifton
 SB 1068-Williams
 SB 1069-Williams
 SB 1070-Williams
 SB 1071-Williams
 SB 1072-Hough
 SB 1073-Hough
 SB 1074-Hoskins
 SB 1075-Emery
 SB 1076-Emery

SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo
 SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854

HB 1903-Shields
 HCS for HJR 103
 HB 1419-McGill
 HB 1454-Schroer
 HCS for HB 1414
 HCS#2 for HB 1896
 HCS for HB 1682
 HCS for HB 1804
 HCS for HB 1752
 HB 1744-Sommer

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman
 (In Fiscal Oversight)

SS for SCS for SB 569-Koenig
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig

5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS

- | | |
|-----------------------------------|--|
| 9. SB 613-Emery, with SCS | 34. SB 756-Sifton, with SCS |
| 10. SB 537-Libla | 35. SB 764-Onder, with SCS |
| 11. SB 572-Rowden | 36. SB 768-Onder, with SCS |
| 12. SB 748-White | 37. SB 690-Cunningham |
| 13. SB 696-Sifton | 38. SB 639-Riddle |
| 14. SB 595-Hough, with SCS | 39. SB 576-Crawford, with SCS |
| 15. SB 548-Hegeman | 40. SB 615-Cunningham |
| 16. SB 703-Hoskins, with SCS | 41. SB 586-Bernskoetter, with SCS |
| 17. SB 605-O’Laughlin, with SCS | 42. SB 568-Hoskins, with SCS |
| 18. SB 640-Onder | 43. SB 784-Wallingford |
| 19. SJR 44-Eigel | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 20. SB 647-Koenig, with SCS | 45. SB 802-Hegeman |
| 21. SB 578-Crawford, with SCS | 46. SJR 61-Nasheed, with SCS |
| 22. SB 522-Sater | 47. SB 542-Nasheed, with SCS |
| 23. SJR 31-Sater | 48. SB 996-Onder, with SCS |
| 24. SB 674-Brown | 49. SB 780-Hough, with SCS |
| 25. SB 661-Bernskoetter, with SCS | 50. SB 885-Walsh |
| 26. SB 645-Hoskins, with SCS | 51. SB 665-Burlison |
| 27. SB 625-Libla, with SCS | 52. SB 701-Onder |
| 28. SB 633-Hegeman | 53. SB 896-Eigel |
| 29. SB 739-Onder, with SCS | 54. SJR 59-Eigel |
| 30. SB 716-Burlison | 55. SB 857-Luetkemeyer, with SCS |
| 31. SB 809-Brown, with SCS | 56. SJR 33-Emery, with SCS |
| 32. SB 797-Wieland, with SCS | 57. SB 612-Emery, with SCS |
| 33. SB 779-Crawford | 58. SB 704-Hoskins |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 524-Sater | SBs 538, 562 & 601-Libla, with SCS, |
| SB 525-Emery, with SCS, SS for SCS & SA 1
(pending) | SS for SCS & SA 1 (pending) |
| SB 526-Emery, with SCS | SB 539-Libla, with SA 1 (pending) |
| SB 529-Cunningham, with SCS | SB 555-Riddle |
| SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending) | SB 557-Schatz, with SCS |
| SB 531-Wallingford, with SS & SA 1
(pending) | SB 558-Schatz, with SCS |
| | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| | SB 581-Cierpiot, with SCS |
| | SB 592-White |

SB 608-May, with SCS

SB 636-Wieland

SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)

SB 649-Eigel

SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)

SB 677-Luetkemeyer

SJR 32-Sater

SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham

SB 913-Emery

SB 852-Hegeman, with SCS

SB 782-Brown

SB 867-Brown, with SCS

SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer

SCR 29-Wallingford

SCR 30-Schupp

SCR 31-Emery

SCR 32-Bernskoetter

SCR 33-May

SCR 34-Hoskins

SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SIXTH DAY—FRIDAY, MARCH 20, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2456**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2014**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Thursday, March 26, 2020.

SENATE CALENDAR

THIRTY-SEVENTH DAY—THURSDAY, MARCH 26, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O’Laughlin	SB 1082-Bernskoetter
SB 1064-O’Laughlin	SB 1083-Brown
SB 1065-O’Laughlin	SB 1084-Brown
SB 1066-O’Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 2128	HCS for HB 1854
HCS#2 for HB 1568	HB 1903-Shields
HB 1383-Washington	HCS for HJR 103
HB 1768-Riggs	HB 1419-McGill
HCS for HB 1711	HB 1454-Schroer
HCS for HB 1473	HCS for HB 1414
HCS#2 for HB 1604	HCS#2 for HB 1896
HCS for HB 1334	HCS for HB 1682
HCS for HB 1817	HCS for HB 1804
HB 1818-Dinkins	HCS for HB 1752

HB 1744-Sommer
HB 2456-Smith

HCS for HB 2014

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman
(In Fiscal Oversight)

SS for SCS for SB 569-Koenig
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 590-Burlison, with SCS | 30. SB 716-Burlison |
| 2. SB 559-Schatz, with SCS | 31. SB 809-Brown, with SCS |
| 3. SB 583-Arthur, with SCS | 32. SB 797-Wieland, with SCS |
| 4. SB 646-Koenig | 33. SB 779-Crawford |
| 5. SBs 675 & 705-Luetkemeyer, with SCS | 34. SB 756-Sifton, with SCS |
| 6. SJRs 48, 41 & 43-Luetkemeyer, with SCS | 35. SB 764-Onder, with SCS |
| 7. SB 699-Riddle, with SCS | 36. SB 768-Onder, with SCS |
| 8. SB 714-Burlison, with SCS | 37. SB 690-Cunningham |
| 9. SB 613-Emery, with SCS | 38. SB 639-Riddle |
| 10. SB 537-Libla | 39. SB 576-Crawford, with SCS |
| 11. SB 572-Rowden | 40. SB 615-Cunningham |
| 12. SB 748-White | 41. SB 586-Bernskoetter, with SCS |
| 13. SB 696-Sifton | 42. SB 568-Hoskins, with SCS |
| 14. SB 595-Hough, with SCS | 43. SB 784-Wallingford |
| 15. SB 548-Hegeman | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 16. SB 703-Hoskins, with SCS | 45. SB 802-Hegeman |
| 17. SB 605-O'Laughlin, with SCS | 46. SJR 61-Nasheed, with SCS |
| 18. SB 640-Onder | 47. SB 542-Nasheed, with SCS |
| 19. SJR 44-Eigel | 48. SB 996-Onder, with SCS |
| 20. SB 647-Koenig, with SCS | 49. SB 780-Hough, with SCS |
| 21. SB 578-Crawford, with SCS | 50. SB 885-Walsh |
| 22. SB 522-Sater | 51. SB 665-Burlison |
| 23. SJR 31-Sater | 52. SB 701-Onder |
| 24. SB 674-Brown | 53. SB 896-Eigel |
| 25. SB 661-Bernskoetter, with SCS | 54. SJR 59-Eigel |
| 26. SB 645-Hoskins, with SCS | 55. SB 857-Luetkemeyer, with SCS |
| 27. SB 625-Libla, with SCS | 56. SJR 33-Emery, with SCS |
| 28. SB 633-Hegeman | 57. SB 612-Emery, with SCS |
| 29. SB 739-Onder, with SCS | 58. SB 704-Hoskins |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 558-Schatz, with SCS
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 526-Emery, with SCS	SB 581-Cierpiot, with SCS
SB 529-Cunningham, with SCS	SB 592-White
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 608-May, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 636-Wieland
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 677-Luetkemeyer
	SJR 32-Sater
	SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham	SB 782-Brown
SB 913-Emery	SB 867-Brown, with SCS
SB 852-Hegeman, with SCS	SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 32-Bernskoetter
SCR 29-Wallingford	SCR 33-May
SCR 30-Schupp	SCR 34-Hoskins
SCR 31-Emery	SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SEVENTH DAY—THURSDAY, MARCH 26, 2020

The Senate met pursuant to adjournment.

President Pro Tem Schatz in the Chair.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Friday, April 3, 2020.

SENATE CALENDAR

THIRTY-EIGHTH DAY—FRIDAY, APRIL 3, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel
SB 1052-Eigel
SB 1053-Eigel
SB 1054-Cierpiot
SB 1055-Rowden
SB 1056-Hegeman
SB 1057-Hegeman and Luetkemeyer
SB 1058-Brown
SB 1059-Hough
SB 1060-Hough
SB 1061-Libla
SB 1062-Nasheed

SB 1063-O'Laughlin
SB 1064-O'Laughlin
SB 1065-O'Laughlin
SB 1066-O'Laughlin
SB 1067-Sifton
SB 1068-Williams
SB 1069-Williams
SB 1070-Williams
SB 1071-Williams
SB 1072-Hough
SB 1073-Hough
SB 1074-Hoskins

SB 1075-Emery
 SB 1076-Emery
 SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo

SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854
 HB 1903-Shields

HCS for HJR 103
 HB 1419-McGill
 HB 1454-Schroer
 HCS for HB 1414
 HCS#2 for HB 1896
 HCS for HB 1682
 HCS for HB 1804
 HCS for HB 1752
 HB 1744-Sommer
 HB 2456-Smith
 HCS for HB 2014

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman
 (In Fiscal Oversight)

SS for SCS for SB 569-Koenig
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig
5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS
9. SB 613-Emery, with SCS
10. SB 537-Libla
11. SB 572-Rowden
12. SB 748-White
13. SB 696-Sifton

14. SB 595-Hough, with SCS
15. SB 548-Hegeman
16. SB 703-Hoskins, with SCS
17. SB 605-O'Laughlin, with SCS
18. SB 640-Onder
19. SJR 44-Eigel
20. SB 647-Koenig, with SCS
21. SB 578-Crawford, with SCS
22. SB 522-Sater
23. SJR 31-Sater
24. SB 674-Brown
25. SB 661-Bernskoetter, with SCS
26. SB 645-Hoskins, with SCS

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|-----------------------------------|--|
| 27. SB 625-Libla, with SCS | 43. SB 784-Wallingford |
| 28. SB 633-Hegeman | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 29. SB 739-Onder, with SCS | 45. SB 802-Hegeman |
| 30. SB 716-Burlison | 46. SJR 61-Nasheed, with SCS |
| 31. SB 809-Brown, with SCS | 47. SB 542-Nasheed, with SCS |
| 32. SB 797-Wieland, with SCS | 48. SB 996-Onder, with SCS |
| 33. SB 779-Crawford | 49. SB 780-Hough, with SCS |
| 34. SB 756-Sifton, with SCS | 50. SB 885-Walsh |
| 35. SB 764-Onder, with SCS | 51. SB 665-Burlison |
| 36. SB 768-Onder, with SCS | 52. SB 701-Onder |
| 37. SB 690-Cunningham | 53. SB 896-Eigel |
| 38. SB 639-Riddle | 54. SJR 59-Eigel |
| 39. SB 576-Crawford, with SCS | 55. SB 857-Luetkemeyer, with SCS |
| 40. SB 615-Cunningham | 56. SJR 33-Emery, with SCS |
| 41. SB 586-Bernskoetter, with SCS | 57. SB 612-Emery, with SCS |
| 42. SB 568-Hoskins, with SCS | 58. SB 704-Hoskins |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 524-Sater | SB 558-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS &
SA 1 (pending) | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 526-Emery, with SCS | SB 581-Cierpiot, with SCS |
| SB 529-Cunningham, with SCS | SB 592-White |
| SB 530-Cunningham, with SCS,
SS for SCS & SA 1 (pending) | SB 608-May, with SCS |
| SB 531-Wallingford, with SS &
SA 1 (pending) | SB 636-Wieland |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending) |
| SB 539-Libla, with SA 1 (pending) | SB 649-Eigel |
| SB 555-Riddle | SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending) |
| SB 557-Schatz, with SCS | SB 677-Luetkemeyer |
| | SJR 32-Sater |
| | SJR 40-Koenig |

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham

SB 913-Emery

SB 852-Hegeman, with SCS
SB 782-Brown

SB 867-Brown, with SCS
SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—FRIDAY, APRIL 3, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

On motion of Senator Rowden, the Senate adjourned until 11:00 a.m., Tuesday, April 7, 2020.

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, APRIL 7, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel
SB 1052-Eigel
SB 1053-Eigel
SB 1054-Cierpiot
SB 1055-Rowden
SB 1056-Hegeman
SB 1057-Hegeman and Luetkemeyer
SB 1058-Brown
SB 1059-Hough
SB 1060-Hough
SB 1061-Libla
SB 1062-Nasheed

SB 1063-O'Laughlin
SB 1064-O'Laughlin
SB 1065-O'Laughlin
SB 1066-O'Laughlin
SB 1067-Sifton
SB 1068-Williams
SB 1069-Williams
SB 1070-Williams
SB 1071-Williams
SB 1072-Hough
SB 1073-Hough
SB 1074-Hoskins

SB 1075-Emery
 SB 1076-Emery
 SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo

SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 2128
 HCS#2 for HB 1568
 HB 1383-Washington
 HB 1768-Riggs
 HCS for HB 1711
 HCS for HB 1473
 HCS#2 for HB 1604
 HCS for HB 1334
 HCS for HB 1817
 HB 1818-Dinkins
 HCS for HB 1854
 HB 1903-Shields

HCS for HJR 103
 HB 1419-McGill
 HB 1454-Schroer
 HCS for HB 1414
 HCS#2 for HB 1896
 HCS for HB 1682
 HCS for HB 1804
 HCS for HB 1752
 HB 1744-Sommer
 HB 2456-Smith
 HCS for HB 2014

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman
 (In Fiscal Oversight)

SS for SCS for SB 569-Koenig
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig
5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS
9. SB 613-Emery, with SCS
10. SB 537-Libla
11. SB 572-Rowden
12. SB 748-White
13. SB 696-Sifton

14. SB 595-Hough, with SCS
15. SB 548-Hegeman
16. SB 703-Hoskins, with SCS
17. SB 605-O'Laughlin, with SCS
18. SB 640-Onder
19. SJR 44-Eigel
20. SB 647-Koenig, with SCS
21. SB 578-Crawford, with SCS
22. SB 522-Sater
23. SJR 31-Sater
24. SB 674-Brown
25. SB 661-Bernskoetter, with SCS
26. SB 645-Hoskins, with SCS

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|-----------------------------------|--|
| 27. SB 625-Libla, with SCS | 43. SB 784-Wallingford |
| 28. SB 633-Hegeman | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 29. SB 739-Onder, with SCS | 45. SB 802-Hegeman |
| 30. SB 716-Burlison | 46. SJR 61-Nasheed, with SCS |
| 31. SB 809-Brown, with SCS | 47. SB 542-Nasheed, with SCS |
| 32. SB 797-Wieland, with SCS | 48. SB 996-Onder, with SCS |
| 33. SB 779-Crawford | 49. SB 780-Hough, with SCS |
| 34. SB 756-Sifton, with SCS | 50. SB 885-Walsh |
| 35. SB 764-Onder, with SCS | 51. SB 665-Burlison |
| 36. SB 768-Onder, with SCS | 52. SB 701-Onder |
| 37. SB 690-Cunningham | 53. SB 896-Eigel |
| 38. SB 639-Riddle | 54. SJR 59-Eigel |
| 39. SB 576-Crawford, with SCS | 55. SB 857-Luetkemeyer, with SCS |
| 40. SB 615-Cunningham | 56. SJR 33-Emery, with SCS |
| 41. SB 586-Bernskoetter, with SCS | 57. SB 612-Emery, with SCS |
| 42. SB 568-Hoskins, with SCS | 58. SB 704-Hoskins |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 524-Sater | SB 558-Schatz, with SCS |
| SB 525-Emery, with SCS, SS for SCS &
SA 1 (pending) | SB 575-Eigel, with SS#2 & SA 2 (pending) |
| SB 526-Emery, with SCS | SB 581-Cierpiot, with SCS |
| SB 529-Cunningham, with SCS | SB 592-White |
| SB 530-Cunningham, with SCS,
SS for SCS & SA 1 (pending) | SB 608-May, with SCS |
| SB 531-Wallingford, with SS &
SA 1 (pending) | SB 636-Wieland |
| SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending) | SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending) |
| SB 539-Libla, with SA 1 (pending) | SB 649-Eigel |
| SB 555-Riddle | SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending) |
| SB 557-Schatz, with SCS | SB 677-Luetkemeyer |
| | SJR 32-Sater |
| | SJR 40-Koenig |

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham

SB 913-Emery

SB 852-Hegeman, with SCS
SB 782-Brown

SB 867-Brown, with SCS
SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-NINTH DAY—TUESDAY, APRIL 7, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Rowden offered the following prayer:

Father, we thank you for today. We thank you for the opportunity and honor you have given to us to serve in the Missouri Senate and to serve the people of this great state.

We come before you today in an extraordinary moment in time. A moment we can't entirely understand. But extraordinary moments often produce extraordinary opportunities for courage, bravery and heroism. And we have seen these traits in individuals, families and businesses across this state over the past several weeks. We thank you for these selfless men and women and ask for your blessing on them today.

Father, your word says you are the author and the finisher of our faith. We ask today for a greater faith.

Father, your word says you are the giver of true wisdom and knowledge. We seek out your wisdom and knowledge today.

God, there are many in our state who are hurting today. Whether physical or emotional pain or financial or economic hardship, we lift the people of this state up to you in prayer today.

And finally Lord, we simply ask for peace in these trying moments. The peace of God is a peace that surpasses all understanding, and while there is much we may not understand about this moment, we call on your peace. Give peace to the family dealing with a death or diagnosis. Give peace to the family struggling to make ends meet. Give peace to the health care workers literally risking their lives to serve their fellow Missourians. Give peace to the first responders answering their call to serve no matter what the circumstance.

And give peace to the men and women in this Capitol building today. Our help and comfort comes from you. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 12, 2020, Friday, March 20, 2020, Thursday, March 26, 2020, and Friday, April 3, 2020 were read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Brown	Crawford	Cunningham	Eigel	Emery	Hegeman
Hoskins	Hough	Koenig	Luetkemeyer	Nasheed	O'Laughlin	Onder
Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford	White

Williams—22

Absent—Senators

Bernskoetter

Burlison

Cierpiot

May

Schupp

Walsh

Wieland—7

Absent with leave—Senators

Libla

Riddle—2

Vacancies—3

The Lieutenant Governor was present.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI

April 7, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert C. Cook, Republican, 604 Springtime Drive, Ashland, Boone County, Missouri 65010, as a member of the Missouri Ethics Commission, for a term ending March 15, 2024, and until his successor is duly appointed and qualified; vice, George Ratermann, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI

April 7, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Helene Frischer, Democrat, 15275 Brightfield Manor Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Ethics Commission, for a term ending March 15, 2024, and until her successor is duly appointed and qualified; vice, Kimberly Benjamin, term expired.

Respectfully submitted,
Michael L. Parson
Governor

President Pro Tem Schatz referred the above appointments to the Committee on Gubernatorial Appointments.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for HB 2128—Transportation, Infrastructure and Public Safety.

HCS No. 2 for HB 1568—Education.

HB 1383—Health and Pensions.

HB 1768—Economic Development.

HCS for HB 1711—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1473—Transportation, Infrastructure and Public Safety.

HCS No. 2 for HB 1604—Local Government and Elections.

HCS for HB 1334—Transportation, Infrastructure and Public Safety.

HCS for HB 1817—Education.

HB 1818—Education.

HCS for HB 1854—Local Government and Elections.

HB 1903—Education.

HCS for HJR 103—Veterans and Military Affairs.

HB 1419—General Laws.

HB 1454—Veterans and Military Affairs.

HCS for HB 1414—Seniors, Families and Children.

HCS No. 2 for HB 1896—Health and Pensions.

HCS for HB 1682—Seniors, Families and Children.

HCS for HB 1804—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1752—Agriculture, Food Production and Outdoor Resources.

HB 1744—Transportation, Infrastructure and Public Safety.

HB 2456—Appropriations.

HCS for HB 2014—Appropriations.

On motion of Senator Rowden, the Senate recessed until 12:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schatz.

REPORTS OF STANDING COMMITTEES

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HB 2456**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 2014**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **HB 2456** to the Committee on Fiscal Oversight.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FORTIETH DAY—WEDNESDAY, APRIL 8, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O'Laughlin	SB 1082-Bernskoetter
SB 1064-O'Laughlin	SB 1083-Brown
SB 1065-O'Laughlin	SB 1084-Brown
SB 1066-O'Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman
(In Fiscal Oversight)

SS for SCS for SB 569-Koenig
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 590-Burlison, with SCS | 30. SB 716-Burlison |
| 2. SB 559-Schatz, with SCS | 31. SB 809-Brown, with SCS |
| 3. SB 583-Arthur, with SCS | 32. SB 797-Wieland, with SCS |
| 4. SB 646-Koenig | 33. SB 779-Crawford |
| 5. SBs 675 & 705-Luetkemeyer, with SCS | 34. SB 756-Sifton, with SCS |
| 6. SJRs 48, 41 & 43-Luetkemeyer, with SCS | 35. SB 764-Onder, with SCS |
| 7. SB 699-Riddle, with SCS | 36. SB 768-Onder, with SCS |
| 8. SB 714-Burlison, with SCS | 37. SB 690-Cunningham |
| 9. SB 613-Emery, with SCS | 38. SB 639-Riddle |
| 10. SB 537-Libla | 39. SB 576-Crawford, with SCS |
| 11. SB 572-Rowden | 40. SB 615-Cunningham |
| 12. SB 748-White | 41. SB 586-Bernskoetter, with SCS |
| 13. SB 696-Sifton | 42. SB 568-Hoskins, with SCS |
| 14. SB 595-Hough, with SCS | 43. SB 784-Wallingford |
| 15. SB 548-Hegeman | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 16. SB 703-Hoskins, with SCS | 45. SB 802-Hegeman |
| 17. SB 605-O'Laughlin, with SCS | 46. SJR 61-Nasheed, with SCS |
| 18. SB 640-Onder | 47. SB 542-Nasheed, with SCS |
| 19. SJR 44-Eigel | 48. SB 996-Onder, with SCS |
| 20. SB 647-Koenig, with SCS | 49. SB 780-Hough, with SCS |
| 21. SB 578-Crawford, with SCS | 50. SB 885-Walsh |
| 22. SB 522-Sater | 51. SB 665-Burlison |
| 23. SJR 31-Sater | 52. SB 701-Onder |
| 24. SB 674-Brown | 53. SB 896-Eigel |
| 25. SB 661-Bernskoetter, with SCS | 54. SJR 59-Eigel |
| 26. SB 645-Hoskins, with SCS | 55. SB 857-Luetkemeyer, with SCS |
| 27. SB 625-Libla, with SCS | 56. SJR 33-Emery, with SCS |
| 28. SB 633-Hegeman | 57. SB 612-Emery, with SCS |
| 29. SB 739-Onder, with SCS | 58. SB 704-Hoskins |

HOUSE BILLS ON THIRD READING

HB 2456-Smith (Hegeman)
(In Fiscal Oversight)

HCS for HB 2014, with SCS (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 558-Schatz, with SCS
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 526-Emery, with SCS	SB 581-Cierpiot, with SCS
SB 529-Cunningham, with SCS	SB 592-White
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 608-May, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 636-Wieland
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 677-Luetkemeyer
	SJR 32-Sater
	SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham	SB 782-Brown
SB 913-Emery	SB 867-Brown, with SCS
SB 852-Hegeman, with SCS	SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 32-Bernskoetter
SCR 29-Wallingford	SCR 33-May
SCR 30-Schupp	SCR 34-Hoskins
SCR 31-Emery	SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FORTIETH DAY—WEDNESDAY, APRIL 8, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Schupp offered the following prayer:

Good morning, please join me in contemplation or prayer:

Today, we stand together by staying apart.

Guide us and Help us find the strength and courage to put our desires to be together aside, in order to support the health and well-being of others.

We ask for your support and comfort, to keep healthy and to heal, those among us who go to work for the essential reasons of healing and tending to the sick, of taking care of our elders, of working in our grocery stores and pharmacies, of watching over the children, sheltering the homeless, delivering our supplies, answering our emergency calls.

And those here with us today who are helping our government function for the benefit of all.

May they continue to find strength, and may they know of our deep and humble gratitude.

As many of us celebrate the upcoming holy days of Passover and Easter, in the midst of this pandemic, we are reminded of powers much greater than us. May we remember these lessons: that we will move forward from suffering, and that we are each but a part of a greater whole.

As we work to help all those suffering -- in ways big and small, let us always remember what I learned through this week's Torah portion: that no matter what small tasks we do each day... they can be holy.

Today, we stand together by staying apart. And together we say, Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O'Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	White	Wieland

Williams—29

Absent—Senators—None

Absent with leave—Senators
Riddle Walsh—2

Vacancies—3

The Lieutenant Governor was present.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Robert P. Ballsrud, 6 Hill Drive, Glendale, Saint Louis County, Missouri 63122, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2020, and until his successor is duly appointed and qualified; vice, Melanie R. Rippetoe, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Connie Diekman, Republican, 344 Elm Valley Drive, Webster Groves, Saint Louis County, Missouri 63119, as a member of the State Committee of Dietitians, for a term ending June 11, 2021, and until her successor is duly appointed and qualified; vice, Le Greta Hudson, resigned.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Donald P. Edinger, 4150 Northeast 63rd Terrace, Gladstone, Clay County, Missouri 64119, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2022, and until his successor is duly appointed and qualified; vice, Stephanie D. Briscoe, resigned.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Edward Frederick, Republican, 21295 Pleasant Hill Road, Boonville, Cooper County, Missouri 65203, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2023, and until his successor is duly appointed and qualified; vice, Erick V. Kern, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Helene Frischer, Democrat, 15275 Brightfield Manor Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Ethics Commission, for a term ending March 15, 2024, and until her successor is duly appointed and qualified; vice, Kimberly Benjamin, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Linda Hermann (Wimpfheimer), 222 South Maple, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Linda Sue Hermann Wimpfheimer, reappointed.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Dr. Cindy Herrmann Baker, 5521 Hollywood Road, Ozark, Christian County, Missouri 65721, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Cynthia Herrmann Baker, reappointed.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Gerald Wayne Johnson, Republican, Route 2 Box 2585, Sedgewickville, Bollinger County, Missouri 63781, as the Second District Commissioner of the Bollinger County Commission, for a term ending when his successor is duly elected or appointed and qualified; vice, Roy Garner, resigned.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Nate K. Johnson, 2209 Cleek Court, Saint Louis, Saint Louis County, Missouri 63131, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2024, and until his successor is duly appointed and qualified; vice, Aliah Holman, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Mary A. Brown, resigned.

Respectfully submitted,
Michael L. Parson
Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 8, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment:

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Mark J. Collom, term expired.

Respectfully submitted,
Michael L. Parson
Governor

Senator Schatz moved that the above appointments and reappointments be returned to the Governor per his request, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointment and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Robert C. Cook, Republican, as a member of the Missouri Ethics Commission;

Also,

Cathy J. Dean, as a member of the Kansas City Board of Police Commissioners; and

Steve Sellenriek, Republican, as a member of the State Technical College of Missouri Board of Regents.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointment and reappointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 569**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SB 632**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HB 2456**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HB 2456, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HB 2456** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	White	Wieland	Williams—27	

NAYS—Senators

Burlison Emery—2

Absent—Senators—None

Absent with leave—Senators

Riddle Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Rizzo assumed the Chair.

Senator Wallingford assumed the Chair

President Kehoe assumed the Chair.

HCS for HB 2014, with SCS, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Was taken up by Senator Hegeman.

SCS for HCS for HB 2014, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Senator Hegeman moved that **SCS** for **HCS** for **HB 2014** be adopted.

Senator Hegeman offered **SS** for **SCS** for **HCS** for **HB 2014**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Senator Hegeman moved that **SS** for **SCS** for **HCS** for **HB 2014** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **HCS** for **HB 2014**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	White	Wieland	Williams—28

NAYS—Senator Burlison—1

Absent—Senators—None

Absent with leave—Senators

Riddle Walsh—2

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schatz.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HB 2014**.

President Kehoe assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HBs 1511 & 1452**, **SS** for **SCS** for **HCS** for **HB 2014**, and **HB 2456** having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, April 13, 2020.

SENATE CALENDAR

FORTY-FIRST DAY—MONDAY, APRIL 13, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O'Laughlin	SB 1082-Bernskoetter
SB 1064-O'Laughlin	SB 1083-Brown
SB 1065-O'Laughlin	SB 1084-Brown
SB 1066-O'Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman

SS for SCS for SB 569-Koenig

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 590-Burlison, with SCS | 30. SB 716-Burlison |
| 2. SB 559-Schatz, with SCS | 31. SB 809-Brown, with SCS |
| 3. SB 583-Arthur, with SCS | 32. SB 797-Wieland, with SCS |
| 4. SB 646-Koenig | 33. SB 779-Crawford |
| 5. SBs 675 & 705-Luetkemeyer, with SCS | 34. SB 756-Sifton, with SCS |
| 6. SJRs 48, 41 & 43-Luetkemeyer, with SCS | 35. SB 764-Onder, with SCS |
| 7. SB 699-Riddle, with SCS | 36. SB 768-Onder, with SCS |
| 8. SB 714-Burlison, with SCS | 37. SB 690-Cunningham |
| 9. SB 613-Emery, with SCS | 38. SB 639-Riddle |
| 10. SB 537-Libla | 39. SB 576-Crawford, with SCS |
| 11. SB 572-Rowden | 40. SB 615-Cunningham |
| 12. SB 748-White | 41. SB 586-Bernskoetter, with SCS |
| 13. SB 696-Sifton | 42. SB 568-Hoskins, with SCS |
| 14. SB 595-Hough, with SCS | 43. SB 784-Wallingford |
| 15. SB 548-Hegeman | 44. SBs 602, 778 & 561-Luetkemeyer, with SCS |
| 16. SB 703-Hoskins, with SCS | 45. SB 802-Hegeman |
| 17. SB 605-O'Laughlin, with SCS | 46. SJR 61-Nasheed, with SCS |
| 18. SB 640-Onder | 47. SB 542-Nasheed, with SCS |
| 19. SJR 44-Eigel | 48. SB 996-Onder, with SCS |
| 20. SB 647-Koenig, with SCS | 49. SB 780-Hough, with SCS |
| 21. SB 578-Crawford, with SCS | 50. SB 885-Walsh |
| 22. SB 522-Sater | 51. SB 665-Burlison |
| 23. SJR 31-Sater | 52. SB 701-Onder |
| 24. SB 674-Brown | 53. SB 896-Eigel |
| 25. SB 661-Bernskoetter, with SCS | 54. SJR 59-Eigel |
| 26. SB 645-Hoskins, with SCS | 55. SB 857-Luetkemeyer, with SCS |
| 27. SB 625-Libla, with SCS | 56. SJR 33-Emery, with SCS |
| 28. SB 633-Hegeman | 57. SB 612-Emery, with SCS |
| 29. SB 739-Onder, with SCS | 58. SB 704-Hoskins |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|-------------------------------------|
| SB 524-Sater | SB 531-Wallingford, with SS & |
| SB 525-Emery, with SCS, SS for SCS & | SA 1 (pending) |
| SA 1 (pending) | SBs 538, 562 & 601-Libla, with SCS, |
| SB 526-Emery, with SCS | SS for SCS & SA 1 (pending) |
| SB 529-Cunningham, with SCS | SB 539-Libla, with SA 1 (pending) |
| SB 530-Cunningham, with SCS, SS for SCS & | SB 555-Riddle |
| SA 1 (pending) | SB 557-Schatz, with SCS |

SB 558-Schatz, with SCS
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 581-Cierpiot, with SCS
SB 592-White
SB 608-May, with SCS
SB 636-Wieland
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)

SB 649-Eigel
SB 670-Hough, with SCS, SS for SCS &
SA 1 (pending)
SB 677-Luetkemeyer
SJR 32-Sater
SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham
SB 913-Emery
SB 852-Hegeman, with SCS

SB 782-Brown
SB 867-Brown, with SCS
SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 32-Bernskoetter
SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIRST DAY—MONDAY, APRIL 13, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

On motion of Senator Bernskoetter, the Senate adjourned until 10:00 a.m., Thursday, April 23, 2020.

SENATE CALENDAR

FORTY-SECOND DAY—THURSDAY, APRIL 23, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel
SB 1052-Eigel
SB 1053-Eigel
SB 1054-Cierpiot
SB 1055-Rowden
SB 1056-Hegeman
SB 1057-Hegeman and Luetkemeyer
SB 1058-Brown
SB 1059-Hough
SB 1060-Hough
SB 1061-Libla
SB 1062-Nasheed

SB 1063-O'Laughlin
SB 1064-O'Laughlin
SB 1065-O'Laughlin
SB 1066-O'Laughlin
SB 1067-Sifton
SB 1068-Williams
SB 1069-Williams
SB 1070-Williams
SB 1071-Williams
SB 1072-Hough
SB 1073-Hough
SB 1074-Hoskins

SB 1075-Emery
 SB 1076-Emery
 SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo

SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman

SS for SCS for SB 569-Koenig

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig
5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS
9. SB 613-Emery, with SCS
10. SB 537-Libla
11. SB 572-Rowden
12. SB 748-White
13. SB 696-Sifton
14. SB 595-Hough, with SCS
15. SB 548-Hegeman
16. SB 703-Hoskins, with SCS
17. SB 605-O’Laughlin, with SCS
18. SB 640-Onder
19. SJR 44-Eigel
20. SB 647-Koenig, with SCS
21. SB 578-Crawford, with SCS
22. SB 522-Sater
23. SJR 31-Sater
24. SB 674-Brown
25. SB 661-Bernskoetter, with SCS
26. SB 645-Hoskins, with SCS
27. SB 625-Libla, with SCS
28. SB 633-Hegeman
29. SB 739-Onder, with SCS

30. SB 716-Burlison
31. SB 809-Brown, with SCS
32. SB 797-Wieland, with SCS
33. SB 779-Crawford
34. SB 756-Sifton, with SCS
35. SB 764-Onder, with SCS
36. SB 768-Onder, with SCS
37. SB 690-Cunningham
38. SB 639-Riddle
39. SB 576-Crawford, with SCS
40. SB 615-Cunningham
41. SB 586-Bernskoetter, with SCS
42. SB 568-Hoskins, with SCS
43. SB 784-Wallingford
44. SBs 602, 778 & 561-Luetkemeyer, with SCS
45. SB 802-Hegeman
46. SJR 61-Nasheed, with SCS
47. SB 542-Nasheed, with SCS
48. SB 996-Onder, with SCS
49. SB 780-Hough, with SCS
50. SB 885-Walsh
51. SB 665-Burlison
52. SB 701-Onder
53. SB 896-Eigel
54. SJR 59-Eigel
55. SB 857-Luetkemeyer, with SCS
56. SJR 33-Emery, with SCS
57. SB 612-Emery, with SCS
58. SB 704-Hoskins

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 558-Schatz, with SCS
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 526-Emery, with SCS	SB 581-Cierpiot, with SCS
SB 529-Cunningham, with SCS	SB 592-White
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 608-May, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 636-Wieland
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 677-Luetkemeyer
	SJR 32-Sater
	SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham	SB 782-Brown
SB 913-Emery	SB 867-Brown, with SCS
SB 852-Hegeman, with SCS	SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 32-Bernskoetter
SCR 29-Wallingford	SCR 33-May
SCR 30-Schupp	SCR 34-Hoskins
SCR 31-Emery	SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FORTY-SECOND DAY—THURSDAY, APRIL 23, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

On motion of Senator Bernskoetter, the Senate adjourned until 4:00 p.m., Monday, April 27, 2020.

SENATE CALENDAR

FORTY-THIRD DAY—MONDAY, APRIL 27, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1063-O'Laughlin
SB 1052-Eigel	SB 1064-O'Laughlin
SB 1053-Eigel	SB 1065-O'Laughlin
SB 1054-Cierpiot	SB 1066-O'Laughlin
SB 1055-Rowden	SB 1067-Sifton
SB 1056-Hegeman	SB 1068-Williams
SB 1057-Hegeman and Luetkemeyer	SB 1069-Williams
SB 1058-Brown	SB 1070-Williams
SB 1059-Hough	SB 1071-Williams
SB 1060-Hough	SB 1072-Hough
SB 1061-Libla	SB 1073-Hough
SB 1062-Nasheed	SB 1074-Hoskins

SB 1075-Emery
 SB 1076-Emery
 SB 1077-Onder
 SB 1078-Onder
 SB 1079-Burlison
 SB 1080-Rizzo
 SB 1081-Rizzo

SB 1082-Bernskoetter
 SB 1083-Brown
 SB 1084-Brown
 SB 1085-Rowden
 SB 1086-Wieland
 SB 1087-Wieland
 SB 1088-Sater

THIRD READING OF SENATE BILLS

SS for SB 632-Hegeman

SS for SCS for SB 569-Koenig

SENATE BILLS FOR PERFECTION

1. SB 590-Burlison, with SCS
2. SB 559-Schatz, with SCS
3. SB 583-Arthur, with SCS
4. SB 646-Koenig
5. SBs 675 & 705-Luetkemeyer, with SCS
6. SJRs 48, 41 & 43-Luetkemeyer, with SCS
7. SB 699-Riddle, with SCS
8. SB 714-Burlison, with SCS
9. SB 613-Emery, with SCS
10. SB 537-Libla
11. SB 572-Rowden
12. SB 748-White
13. SB 696-Sifton
14. SB 595-Hough, with SCS
15. SB 548-Hegeman
16. SB 703-Hoskins, with SCS
17. SB 605-O'Laughlin, with SCS
18. SB 640-Onder
19. SJR 44-Eigel
20. SB 647-Koenig, with SCS
21. SB 578-Crawford, with SCS
22. SB 522-Sater
23. SJR 31-Sater
24. SB 674-Brown
25. SB 661-Bernskoetter, with SCS
26. SB 645-Hoskins, with SCS
27. SB 625-Libla, with SCS
28. SB 633-Hegeman
29. SB 739-Onder, with SCS

30. SB 716-Burlison
31. SB 809-Brown, with SCS
32. SB 797-Wieland, with SCS
33. SB 779-Crawford
34. SB 756-Sifton, with SCS
35. SB 764-Onder, with SCS
36. SB 768-Onder, with SCS
37. SB 690-Cunningham
38. SB 639-Riddle
39. SB 576-Crawford, with SCS
40. SB 615-Cunningham
41. SB 586-Bernskoetter, with SCS
42. SB 568-Hoskins, with SCS
43. SB 784-Wallingford
44. SBs 602, 778 & 561-Luetkemeyer, with SCS
45. SB 802-Hegeman
46. SJR 61-Nasheed, with SCS
47. SB 542-Nasheed, with SCS
48. SB 996-Onder, with SCS
49. SB 780-Hough, with SCS
50. SB 885-Walsh
51. SB 665-Burlison
52. SB 701-Onder
53. SB 896-Eigel
54. SJR 59-Eigel
55. SB 857-Luetkemeyer, with SCS
56. SJR 33-Emery, with SCS
57. SB 612-Emery, with SCS
58. SB 704-Hoskins

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater	SB 558-Schatz, with SCS
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 526-Emery, with SCS	SB 581-Cierpiot, with SCS
SB 529-Cunningham, with SCS	SB 592-White
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 608-May, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 636-Wieland
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 677-Luetkemeyer
	SJR 32-Sater
	SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham	SB 782-Brown
SB 913-Emery	SB 867-Brown, with SCS
SB 852-Hegeman, with SCS	SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 32-Bernskoetter
SCR 29-Wallingford	SCR 33-May
SCR 30-Schupp	SCR 34-Hoskins
SCR 31-Emery	SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FORTY-THIRD DAY—MONDAY, APRIL 27, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Hear my prayer, O Lord; give ear to my supplications in your faithfulness; answer me in your righteousness.” (Psalm 143:1)

O Lord our God, we call upon You in a stressful time. We ask that You will continue to bless us with Your guidance so we may be faithful in our responsibilities here and do what is truly required of us. We also ask that You continue to watch over all those who serve the sick and the needy in our state, this country and our world. May scientists find a cure and way to protect us from this devastating Covid-19 and restore our sense of community and activities that are so needed. And blessed are those who have died and we ask you to bring comfort to those who grieve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Wednesday, April 8, 2020, Monday, April 13, 2020, and Thursday, April 23, 2020 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 1392, regarding Chief Charles Lynn Jones, Caruthersville, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1393, regarding Lisa LeMaster, Jefferson City, which was adopted.

Senator Rowden offered Senate Resolution No. 1394, regarding John Stephen Cauwenbergh, Columbia, which was adopted.

Senator Onder offered Senate Resolution No. 1395, regarding Lucas Huisman, which was adopted.

Senator Onder offered Senate Resolution No. 1396, regarding Walmart, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1397, regarding Addysen Hale, which was adopted.

Senator Onder offered Senate Resolution No. 1398, regarding Payton Lindsay, which was adopted.

Senator Onder offered Senate Resolution No. 1399, regarding Liam Denton, which was adopted.

Senator Onder offered Senate Resolution No. 1400, regarding Kaitlin Kay Fritsche, Foristell, which was adopted.

Senator Onder offered Senate Resolution No. 1401, regarding Hope Montgomery, St. Charles, which was adopted.

Senator Riddle offered Senate Resolution No. 1402, regarding Deputy Eric Anthony Redman, Winfield, which was adopted.

Senator Riddle offered Senate Resolution No. 1403, regarding Deputy Ryan Christopher Parker, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1404, regarding Officer Evan Hammett, Troy, which was adopted.

Senator Sater offered Senate Resolution No. 1405, regarding the Henson family, Taney County, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **HCS** for **HB 2046**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Bernskoetter, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 1711**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

SENATE HEARING SCHEDULE
100th GENERAL ASSEMBLY
SECOND REGULAR SESSION
APRIL 27, 2020

	Monday	Tuesday	Wednesday	Thursday	Friday
8:00 a.m.		Government Reform JCR (Emery) Ways and Means CF (Koenig)	Seniors, Families and Children CF (Sater) Insurance & Banking JCR (Wieland)	Transportation, Infrastructure and Public Safety CF (Libla) Small Business & Industry JCR (Hoskins)	Appropriations CF (Hegeman) All Day
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics CF (Rowden)			
9:30 a.m.		Fiscal Oversight JCR (Cunningham)	Fiscal Oversight JCR (Cunningham)	Fiscal Oversight JCR (Cunningham)	Fiscal Oversight JCR (Cunningham)
10:30 a.m.		General Laws JCR (Eigel) Economic Development CF (Cierpiot)	Gubernatorial Appointments JCR (Schatz) Health and Pensions CF (Onder)		
12:00 p.m.		Veterans & Military Affairs CF (White) Education JCR (O'Laughlin)	Commerce, Consumer Protection, Energy and the Environment CF (Wallingford) Local Government & Elections JCR (Crawford)		
1:00 p.m.	Judiciary and Civil and Criminal Jurisprudence CF (Luetkemeyer)	Progress and Development CF (Walsh)			
1:30 p.m.		Fiscal Oversight JCR (Cunningham)	Fiscal Oversight JCR (Cunningham)	Fiscal Oversight JCR (Cunningham)	
2:00 p.m.	Agriculture, Food Production and Outdoor Resources JCR (Bernskoetter)				
Evening	Professional Registration JCR (Riddle)				

THIRD READING OF SENATE BILLS

SS for SB 632, introduced by Senator Hegeman, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 632

An Act to repeal repeal section 620.2459, RSMo, and to enact in lieu thereof one new section relating to grants to expand access to broadband internet service in unserved and underserved areas of the state.

Was taken up.

On motion of Senator Hegeman, **SS for SB 632** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 569, introduced by Senator Koenig, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 569

An Act to repeal section 595.220, RSMo, and to enact in lieu thereof five new sections relating to victims of sexual offenses.

Was taken up.

On motion of Senator Koenig, **SS for SCS for SB 569** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Bernskoetter moved that **SCR 32** be taken up for adoption, which motion prevailed.

On motion of Senator Bernskoetter, **SCR 32** was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

April 27, 2020

Adriane Crouse
Secretary of Missouri Senate
State Capitol Room 325
Jefferson City, MO 65101

Pursuant to rule 94, the upper gallery of the Senate chamber may be used for committee hearings for the remainder of session.

Sincerely,



Dave Schatz
President Pro Tem
District 26

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

 FORTY-FOURTH DAY—TUESDAY, APRIL 28, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O’Laughlin	SB 1082-Bernskoetter
SB 1064-O’Laughlin	SB 1083-Brown
SB 1065-O’Laughlin	SB 1084-Brown
SB 1066-O’Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

SENATE BILLS FOR PERFECTION

- | | |
|---|------------------------------|
| 1. SB 590-Burlison, with SCS | 9. SB 613-Emery, with SCS |
| 2. SB 559-Schatz, with SCS | 10. SB 537-Libla |
| 3. SB 583-Arthur, with SCS | 11. SB 572-Rowden |
| 4. SB 646-Koenig | 12. SB 748-White |
| 5. SBs 675 & 705-Luetkemeyer, with SCS | 13. SB 696-Sifton |
| 6. SJRs 48, 41 & 43-Luetkemeyer, with SCS | 14. SB 595-Hough, with SCS |
| 7. SB 699-Riddle, with SCS | 15. SB 548-Hegeman |
| 8. SB 714-Burlison, with SCS | 16. SB 703-Hoskins, with SCS |

- | | |
|-----------------------------------|---|
| 17. SB 605-O'Laughlin, with SCS | 39. SB 576-Crawford, with SCS |
| 18. SB 640-Onder | 40. SB 615-Cunningham |
| 19. SJR 44-Eigel | 41. SB 586-Bernskoetter, with SCS |
| 20. SB 647-Koenig, with SCS | 42. SB 568-Hoskins, with SCS |
| 21. SB 578-Crawford, with SCS | 43. SB 784-Wallingford |
| 22. SB 522-Sater | 44. SBs 602, 778 & 561-Luetkemeyer,
with SCS |
| 23. SJR 31-Sater | 45. SB 802-Hegeman |
| 24. SB 674-Brown | 46. SJR 61-Nasheed, with SCS |
| 25. SB 661-Bernskoetter, with SCS | 47. SB 542-Nasheed, with SCS |
| 26. SB 645-Hoskins, with SCS | 48. SB 996-Onder, with SCS |
| 27. SB 625-Libla, with SCS | 49. SB 780-Hough, with SCS |
| 28. SB 633-Hegeman | 50. SB 885-Walsh |
| 29. SB 739-Onder, with SCS | 51. SB 665-Burlison |
| 30. SB 716-Burlison | 52. SB 701-Onder |
| 31. SB 809-Brown, with SCS | 53. SB 896-Eigel |
| 32. SB 797-Wieland, with SCS | 54. SJR 59-Eigel |
| 33. SB 779-Crawford | 55. SB 857-Luetkemeyer, with SCS |
| 34. SB 756-Sifton, with SCS | 56. SJR 33-Emery, with SCS |
| 35. SB 764-Onder, with SCS | 57. SB 612-Emery, with SCS |
| 36. SB 768-Onder, with SCS | 58. SB 704-Hoskins |
| 37. SB 690-Cunningham | |
| 38. SB 639-Riddle | |

HOUSE BILLS ON THIRD READING

HCS for HB 2046 (Bernskoetter)
HCS for HB 1711

HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with SCS
(Luetkemeyer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS

SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1 (pending)
SBs 538, 562 & 601-Libla, with SCS, SS for SCS
& SA 1 (pending)

SB 539-Libla, with SA 1 (pending)
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 581-Cierpiot, with SCS
SB 592-White
SB 608-May, with SCS
SB 636-Wieland

SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 677-Luetkemeyer
SJR 32-Sater
SJR 40-Koenig

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham
SB 913-Emery
SB 852-Hegeman, with SCS

SB 782-Brown
SB 867-Brown, with SCS
SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FOURTH DAY—TUESDAY, APRIL 28, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Praise the Lord, for the Lord is good; sing to his name, for is he gracious.” (Psalm 135:2)

Almighty God we do trust in Your holy word and know that You are good. We call upon You this day that we may continue our work and do that which can be helpful to Your people. Make us wise in what we need to do to stay healthy and to be of help to those who are in need. We trust in Your guidance and presence in our lives and ask that You protect all those who call upon You and so willingly serve those who are in need. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cierpiot offered Senate Resolution No. 1406, regarding Blue Ridge Church of Christ, Kansas City, which was adopted.

Senator Riddle offered Senate Resolution No. 1407, regarding Alice Languell, Tebbetts, which was adopted.

Senator Crawford offered Senate Resolution No. 1408, regarding Veterans of Foreign Wars of the United States Post #4080, Buffalo, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Neal Farrar, 4384 Raintree Drive, Willard, Greene County, Missouri 65781, as a member of the Well Installation Board, for a term ending February 24, 2024, and until his successor is duly appointed and qualified; vice, Neal Farrar, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Paul Fitzwater, Republican, 12007 South State Highway 21, Potosi, Washington County, Missouri 63664, as a member of the Board of Probation and Parole, for a term ending April 27, 2026, and until his successor is duly appointed and qualified; vice Paul D. Fitzwater, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jonathan Hayashi, Republican, 186 Gorget Court, Troy, Lincoln County, Missouri 63379, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2026, and until his successor is duly appointed and qualified; vice, Jonathan Hayashi, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lindell Lindsey, 1370 Jan Acres, Festus, Jefferson County, Missouri 63028, as a member of the Well Installation Board, for a term ending February 24, 2024, and until his successor is duly appointed and qualified; vice, Lindell Lindsey, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Kenneth F. Scott, Jr., 421 South 2nd Street, Clinton, Henry County, Missouri 64735, as a member of the Missouri 911 Service Board, for a term ending April 9, 2024, and until his successor is duly appointed and qualified; vice, Dr. Kenneth F. Scott, Jr., reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

April 28, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jason T. White, 1024 South Forest Avenue, Independence, Jackson County, Missouri 64050, as a member of the Missouri 911 Service Board, for a term ending April 9, 2024, and until his successor is duly appointed and qualified; vice, Jason T. White, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

REFERRALS

President Pro Tem Schatz referred **HB 1450**, **HB 1296**, **HCS** for **HB 1331**, and **HCS** for **HB 1898**, with **SCS** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

At the request of Senator Burlison, **SB 590**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schatz, **SB 559**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Arthur, **SB 583**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Koenig, **SB 646** was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 675** and **SB 705**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SJR 48**, **SJR 41** and **SJR 43**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 699**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Burlison, **SB 714**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 613**, with **SCS** was placed on the Informal Calendar.

SB 537 was placed on the Informal Calendar.

At the request of Senator Rowden, **SB 572** was placed on the Informal Calendar.

At the request of Senator White, **SB 748** was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 696** was placed on the Informal Calendar.

SB 595, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 548** was placed on the Informal Calendar.

At the request of Senator Hoskins, **SB 703**, with **SCS** was placed on the Informal Calendar.

At the request of Senator O’Laughlin, **SB 605**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 640** was placed on the Informal Calendar.

At the request of Senator Eigel, **SJR 44** was placed on the Informal Calendar.

At the request of Senator Koenig, **SB 647**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Crawford, **SB 578**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 522** was placed on the Informal Calendar.

At the request of Senator Sater, **SJR 31** was placed on the Informal Calendar.

SB 674 was placed on the Informal Calendar.

At the request of Senator Bernskoetter, **SB 661**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hoskins, **SB 645**, with **SCS** was placed on the Informal Calendar.

SB 625, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 633** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 739**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Burlison, **SB 716** was placed on the Informal Calendar.

SB 809, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wieland, **SB 797**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Crawford, **SB 779** was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 756**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 764**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 768**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 690** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 639** was placed on the Informal Calendar.

At the request of Senator Crawford, **SB 576**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 615** was placed on the Informal Calendar.

At the request of Senator Bernskoetter, **SB 586**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hoskins, **SB 568**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 784** was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 602**, **SB 778** and **SB 561**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 802** was placed on the Informal Calendar.

At the request of Senator Nasheed, **SJR 61**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Nasheed, **SB 542**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 996**, with **SCS** was placed on the Informal Calendar.

SB 780, with **SCS** was placed on the Informal Calendar.

At the request of Senator Walsh, **SB 885** was placed on the Informal Calendar.

At the request of Senator Burlison, **SB 665** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 701** was placed on the Informal Calendar.

At the request of Senator Eigel, **SB 896** was placed on the Informal Calendar.

At the request of Senator Eigel, **SJR 59** was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 857**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **SJR 33**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 612**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hoskins, **SB 704** was placed on the Informal Calendar.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cierpiot, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **HB 1768**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

REFERRALS

President Pro Tem Schatz referred the Gubernatorial Appointments appearing on pages 599 and 600 to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Crawford moved that **SB 578**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 578**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578**

An Act to repeal sections 367.031, 486.200, 486.205, 486.210, 486.215, 486.220, 486.225, 486.230, 486.235, 486.240, 486.245, 486.250, 486.255, 486.260, 486.265, 486.270, 486.275, 486.280, 486.285, 486.290, 486.295, 486.300, 486.305, 486.310, 486.315, 486.320, 486.325, 486.330, 486.335, 486.340, 486.345, 486.350, 486.355, 486.360, 486.365, 486.370, 486.375, 486.380, 486.385, 486.390, 486.395, 486.396, and 486.405, RSMo, and to enact in lieu thereof ninety-eight new sections relating to certification of documents, with penalty provisions and delayed effective dates.

Was taken up.

Senator Crawford moved that **SCS** for **SB 578** be adopted.

Senator Crawford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 578, Page 1, In the Title, Line 9, of the title, by striking “and delayed effective dates” and

Further amend said bill, Page 13, Section 486.610, Line 6, by striking “January 1, 2021” and inserting in lieu thereof the following: “**August 28, 2020**”; and further amend line 8, by striking “January 1, 2021” and inserting in lieu thereof the following: “**August 28, 2020**”; and

Further amend said bill, Page 35, Section 486.830, Line 12, by striking “January 1, 2021” and inserting in lieu thereof the following: “**August 28, 2020**”; and

Further amend said bill, Pages 78-79, Section B, Lines 1-13, by striking all of said section from the bill; and

Further amend said bill, Page 70, Section C, Lines 1-7, by striking all of said section from the bill.

Senator Crawford moved that the above amendment be adopted, which motion prevailed.

Senator Crawford moved that **SCS** for **SB 578**, as amended, be adopted, which motion prevailed.

On motion of Senator Crawford, **SCS** for **SB 578**, as amended, was declared perfected and ordered printed.

Senator Hoskins moved that **SB 704** be taken up for perfection, which motion prevailed.

Senator Hoskins offered **SS** for **SB 704**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 704

An Act to repeal sections 105.145, 135.550, 137.010, 137.122, 137.180, 138.434, 143.991, 205.202, 326.289, 347.179, 347.183, 358.460, and 358.470, RSMo, and to enact in lieu thereof seventeen new sections relating to taxation, with penalty provisions.

Senator Hoskins moved that **SS** for **SB 704** be adopted.

Senator Luetkemeyer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 704, Page 23, Section 137.106, Line 15 of said page, by inserting after all of said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor’s deputies in all counties of this state including the City of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor’s city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor’s books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit

a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision [(5)] (7) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(a) For real property in subclass (1), nineteen percent;

(b) For real property in subclass (2), twelve percent; and

(c) For real property in subclass (3), thirty-two percent.

(2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property is changed after such property is assessed under the provisions of this chapter. If the assessor determines that such property shall be reclassified, he or she shall determine the assessment under this subsection based on the percentage of the tax year that such property was classified in each subclassification.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. [The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14.] A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

[15.] **14.** Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular

session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

[16.] **15.** The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection [15] **14** of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

[17.] **16.** Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444."; and

Further amend said bill, page 28, section 137.180, line 2 of said page, by striking "fifteenth" and inserting in lieu thereof the following: "**first**"; and further amend line 20 of said page, by striking "fifteenth" and inserting in lieu thereof the following: "**first**"; and

Further amend said bill and section, Page 29, Line 8, by striking "fifteenth" and inserting in lieu thereof the following: "**first**"; and

Further amend said bill and section, Page 31, Line 13 of said page, by inserting after all of said line the following:

"137.275. Every person who thinks himself aggrieved by the assessment of his property may appeal to the county board of equalization, in person, by attorney or agent, or in writing. Such appeals shall be lodged with the county board of equalization on or before the [second] **first** Monday in July.

137.355. 1. If an assessor increases the valuation of any tangible personal property as estimated in the itemized list furnished to the assessor, and if an assessor increases the valuation of any real property, he

shall forthwith notify the record owner of the increase either in person or by mail directed to the last known address, and if the address of the owner is unknown notice shall be given by publication in two newspapers published in the county.

2. For all calendar years prior to the first day of January of the year following receipt of software necessary for the implementation of the requirements provided under subsections 3 and 4 of this section from the state tax commission, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June [fifteenth] **first** of the previous assessed value and such increase either in person, or by mail directed to the last known address and include on the face of such notice, in no less than twelve-point font, the following statement:

NOTICE TO TAXPAYER: IF YOUR ASSESSED VALUE HAS INCREASED, IT MAY INCREASE YOUR REAL PROPERTY TAXES WHICH ARE DUE DECEMBER THIRTY-FIRST. IF YOU DO NOT AGREE THAT THE VALUE OF YOUR PROPERTY HAS INCREASED, YOU MUST CHALLENGE THE VALUE ON OR BEFORE _____ (INSERT DATE BY WHICH APPEAL MUST BE FILED) BY CONTACTING YOUR COUNTY ASSESSOR.

3. Effective January first of the year following receipt of software necessary for the implementation of the requirements provided under this subsection and subsection 4 of this section from the state tax commission, if an assessor increases the valuation of any real property, the assessor, on or before June [fifteenth] **first**, shall notify the record owner of the increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase either in person or by mail directed to the last known address, and, if the address of the owner is unknown, notice shall be given by publication in two newspapers published in the county. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

4. The notice of projected tax liability, required under subsection 3 of this section, from the county shall include:

- (1) Record owner's name, address, and the parcel number of the property;
- (2) A list of all political subdivisions levying a tax upon the property of the record owner;
- (3) The projected tax rate for each political subdivision levying a tax upon the property of the record owner, and the purpose for each levy of such political subdivisions;
- (4) The previous year's tax rates for each individual tax levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (5) The tax rate ceiling for each levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (6) The contact information for each political subdivision levying a tax upon the property of the record owner;
- (7) A statement identifying any projected tax rates for political subdivisions levying a tax upon the property of the record owner, which were not calculated and provided by the political subdivision levying the tax; and

(8) The total projected property tax liability of the taxpayer.

137.385. Any person aggrieved by the assessment of his property may appeal to the county board of equalization. An appeal shall be in writing and the forms to be used for this purpose shall be furnished by the county clerk. Such appeal shall be lodged with the county clerk as secretary of the board of equalization before the [third] **first** Monday in [June] **July**; provided, that the board may in its discretion extend the time for filing such appeals.

138.060. 1. **(1)** The county board of equalization shall, in a summary way, determine all appeals from the valuation of property made by the assessor, and shall correct and adjust the assessment accordingly. There shall be no presumption that the assessor's valuation is correct. In any county with a charter form of government with a population greater than two hundred eighty thousand inhabitants but less than two hundred eighty-five thousand inhabitants, and in any county with a charter form of government with greater than one million inhabitants, and in any city not within a county, the assessor shall have the burden to prove that the assessor's valuation does not exceed the true market value of the subject property. In such county or city, in the event a physical inspection of the subject property is required by subsection 10 of section 137.115, the assessor shall have the burden to establish the manner in which the physical inspection was performed and shall have the burden to prove that the physical inspection was performed in accordance with section 137.115. In such county or city, In the event the assessor fails to provide sufficient evidence to establish that the physical inspection was performed in accordance with section 137.115, the property owner shall prevail on the appeal as a matter of law. At any hearing before the state tax commission or a court of competent jurisdiction of an appeal of assessment from a first class charter county or a city not within a county, the assessor shall not advocate nor present evidence advocating a valuation higher than that value finally determined by the assessor or the value determined by the board of equalization, whichever is higher, for that assessment period.

(2) The provisions of subdivision (1) of this subsection shall also apply to appeals made in any county not described in subdivision (1) of this subsection for which the property subject to appeal experienced an increase in assessed valuation in excess of fifteen percent since the previous assessment, excluding increases due to new construction or improvements.

2. The county clerk shall keep an accurate record of the proceedings and orders of the board, and the assessor shall correct all erroneous assessments, and the clerk shall adjust the tax book according to the orders of such board and the orders of the state tax commission, except that in adding or deducting such percent to each tract or parcel of real estate as required by such board or state tax commission, he shall add or deduct in each case any fractional sum of less than fifty cents, so that the value of any separate tract shall contain no fractions of a dollar.

138.090. 1. Except as provided in subsection 2 of this section, the county board of equalization in first class counties shall meet on the [first] **third** Monday in July of each year.

2. Upon a finding by the board that it is necessary in order to fairly hear all cases arising from a general reassessment, the board may begin meeting after July first in any applicable year to timely consider any appeal or complaint resulting from an evaluation made during a general reassessment of all taxable real property and possessory interests in the county. There shall be no presumption that the assessor's valuation is correct.”; and

Further amend said bill, Page 32 Section 138.434, Line 13 of said page, by inserting after all of said line

the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer’s federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer’s federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit. **The amount added pursuant to this subdivision shall not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer’s federal tax liability pursuant to Public Law 116-136, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, and deducted from Missouri adjusted gross income pursuant to section 143.171;**

(2) Interest on certain governmental obligations excluded from federal gross income by 26 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of 26 U.S.C. Section 265 of the Internal Revenue Code, as amended. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by 26 U.S.C. Section 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident’s federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia;

(6) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in a

previous taxable year, but allowed as a deduction under 26 U.S.C. Section 163, as amended, in the current taxable year by reason of the carryforward of disallowed business interest provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest received on deposits held at a federal reserve bank or interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the

United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone;

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection;

(10) For all tax years beginning on or after January 1, 2014, the amount of any income received as payment from any program which provides compensation to agricultural producers who have suffered a loss as the result of a disaster or emergency, including the:

- (a) Livestock Forage Disaster Program;
- (b) Livestock Indemnity Program;
- (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;
- (d) Emergency Conservation Program;
- (e) Noninsured Crop Disaster Assistance Program;
- (f) Pasture, Rangeland, Forage Pilot Insurance Program;
- (g) Annual Forage Pilot Program;
- (h) Livestock Risk Protection Insurance Plan; and
- (i) Livestock Gross Margin Insurance Plan; and

(11) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in the current taxable year, but not deducted as a result of the limitation imposed under 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during

the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020.

143.171. 1. For all tax years beginning on or after January 1, 1994, and ending on or before December 31, 2018, an individual taxpayer shall be allowed a deduction for his or her federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

2. (1) Notwithstanding any other provision of law to the contrary, for all tax years beginning on or after January 1, 2019, an individual taxpayer shall be allowed a deduction equal to a percentage of his or her federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for

payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34. The deduction percentage is determined according to the following table:

If the Missouri gross income on the return is:	The deduction percentage is:
\$25,000 or less	35 percent
From \$25,001 to \$50,000	25 percent
From \$50,001 to \$100,000	15 percent
From \$100,001 to \$125,000	5 percent
\$125,001 or more	0 percent

(2) Notwithstanding any provision of law to the contrary, the amount of any tax credits reducing a taxpayer's federal tax liability pursuant to Public Law 116-136, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, shall not be considered in determining a taxpayer's federal tax liability for the purposes of subdivision (1) of this subsection, and such amount may be included in the amount to be deducted under subdivision (1) of this subsection.

3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year.”; and

Further amend the title and enacting clause accordingly.

Senator Luetkemeyer moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 704, Page 1, Section A, Line 7, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of [defective or inadequate street layout,] insanitary or unsafe conditions, [deterioration of site improvements, improper subdivision or

obsolete platting,] or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, [morals,] or welfare in its present condition and use, **and, for redevelopment areas located in a city not within a county, which has a median household income less than or equal to two hundred percent of the federal poverty level, as determined by the most current five-year figures published by the American Community Survey conducted by the United States Census Bureau;**

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) [”Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) [”Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6)] (4) “Gambling establishment”, an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (5) “Greenfield area”, any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (6) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, municipality applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (7) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (8) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (9) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (10) “Redevelopment area”, an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, [a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof,] which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (11) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, [conservation area, economic development area, or combination thereof,] and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (12) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a

legal description of the area selected for the redevelopment project;

[(15)] **(13)** “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to:

a. Acquisition of land and other property, real or personal, or rights or interests therein;

b. Demolition of buildings; and

c. The clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) [Initial costs for an economic development area;

(f)] Costs of construction of public works or improvements;

[(g)] **(f)** Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

[(h)] **(g)** All or a portion of a taxing district’s capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

[(i)] **(h)** Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

[(j)] **(i)** Payments in lieu of taxes;

[(16)] **(14)** “Special allocation fund”, the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] **(15)** “Taxing districts”, any political subdivision of this state having the power to levy taxes;

[(18)] **(16)** “Taxing districts’ capital costs”, those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] **(17)** “Vacant land”, any parcel or combination of parcels of real property not used for industrial,

commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area[, a conservation area, or an economic development area,] and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a **study conducted by a third party which includes** a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April

each year.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under subsection 3 of section 99.820, the economic activity taxes and payments in lieu of taxes generated by such plan, project, designation, or amendment shall be restricted to paying only those redevelopment project costs contained in subparagraphs b. and c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

[3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]

99.843. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new tax increment financing project shall be authorized in any greenfield area, as such term is defined in section 99.805[, that is located within a city not within a county or any county subject to the authority of the East-West Gateway Council of Governments. Municipalities not subject to the authority of the East-West Gateway Council of Governments may authorize tax increment finance projects in greenfield areas].”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Eigel offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 704, Page 15, Section 137.106, Lines 12-28, by striking all of said lines and inserting in lieu thereof the following:

“(4) “Eligible owner”, any individual owner of property that is a homestead and whose income does not exceed the maximum upper limit;”; and

Further amend said bill and section, page 16, lines 1-21, by striking all of said lines; and

Further amend said bill and section, page 17, lines 18-22, by striking all of said lines and inserting in lieu thereof the following:

“(7) “Income”, federal adjusted gross income;”; and

Further amend said bill and section, page 18, line 9, by inserting immediately after “section” the following:

“, and provided that no eligible owner shall receive a homestead exemption credit exceeding five hundred dollars in any single tax year”.

Senator Eigel moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 704, Page 13, Section 135.550, Line 4 of said page, by inserting immediately after all of said line the following:

“135.615. 1. As used in this section, the following terms mean:

(1) “Child-care facility”, a child-care facility as such term is defined pursuant to section 210.201 and that is licensed or license-exempt by the department of health and senior services pursuant to the provisions of chapter 210, or is registered with the department of social services;

(2) “Department”, the department of health and senior services;

(3) “Qualifying expenses”, the sum of the total amount spent by a child-care facility for supplies, equipment, or other costs related to the prevention of the spread of viruses or other communicable diseases, including, but not limited to, personal protective equipment and sanitizing products;

(4) “State tax liability”, any liability incurred by a child-care facility pursuant to the provisions

of chapters 143, excluding sections 143.191 to 143.265 and related provisions.

2. For all tax years beginning on or after January 1, 2021, a child-care facility shall be allowed a tax credit against the child-care facility's state tax liability in an amount not to exceed one hundred percent of qualifying expenses made during the 2020 calendar year.

3. (1) To obtain approval for tax credits pursuant to this section, a child-care facility shall submit an application for tax credits to the department. Each application shall be reviewed by the department for approval. In order to receive approval, an application shall include:

(a) The qualifying expenses incurred by the child-care facility during the previous two-year period; and

(b) Any other information that the department may reasonably require to review the project for approval.

(2) If the department deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits to be determined by the department.

4. The department shall not approve applications for tax credits pursuant to this section which, in the aggregate, exceed five million dollars per fiscal year.

5. Tax credits issued pursuant to this section shall not be refundable, but may be carried back to any of the three preceding tax years or carried forward for any of the five succeeding tax years. Tax credits issued pursuant to this section shall not be transferred, sold, or assigned.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Arthur, Libla, May and Sifton.

Pursuant to Senate Rule 91, Senator Hoskins requested unanimous consent of the Senate to be excused from voting on **SA 4**, which request was granted.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Arthur	Luetkemeyer	May	O’Laughlin	Rizzo	Rowden	Schupp
Sifton	Wallingford	Walsh	Williams—11			

NAYS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hough	Koenig	Libla	Onder	Riddle
Schatz	White	Wieland—17				

Absent—Senators

Nasheed	Sater—2
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Absent with leave—Senators—None

Excused from voting—Senator Hoskins—1

Vacancies—3

Senator Hough offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 704, Page 1, Section A, Line 7, by inserting immediately after all of said line the following:

“67.730. 1. Any county of the first [class] **classification or any county** having a charter form of government, and containing [the major] **a** portion of a city with a population of over three hundred fifty thousand may, upon the vote of a majority of the qualified voters of the county voting thereon, issue and sell its negotiable interest-bearing revenue bonds for the purpose of paying all or part of the cost of any capital improvements project or projects designated by the governing body of the county. The bonds shall be retired from the proceeds of a countywide sales tax on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The sales tax to retire the revenue bonds shall be approved as a part of the proposal to issue the bonds submitted to the qualified voters of the county and may be imposed in addition to or in lieu of all and any other sales tax authorized by law to be imposed by the county.

2. The proposal to issue negotiable interest-bearing revenue bonds for the purpose of capital improvement projects and the imposition of a sales tax to pay the principal and interest on such bonds may be submitted by the governing body of the county to the voters of the county at a county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of _____ issue its negotiable interest-bearing revenue bonds in the total face amount of \$ _____ payable in _____ years for the purpose of funding capital improvement projects in the county and impose a countywide sales tax at the rate of _____ to pay the principal and interest on such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the bonds may be issued by the county from time to time and in such amounts as may be necessary to carry out the county’s program of capital improvements, but not to exceed the total amount of bonds authorized by the vote of the qualified voters. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the county shall have no power to issue the revenue bonds or impose the sales tax authorized by sections 67.730 to 67.739 unless and until the governing body of the county shall again have submitted the proposal and such proposal is approved by a majority of the qualified voters voting thereon.

67.1011. 1. The governing body of any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the third classification with a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants may impose a tax as provided in this section.

2. The governing body of any city described under subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the

city, which shall be no more than six percent per occupied room per night. The tax shall not become effective unless the governing body of the city submits to the voters of the city at an election a question to authorize the governing body of the city to impose the tax. The tax shall be in addition to the charge for the sleeping room and shall be in addition to any and all other taxes. The tax shall be stated separately from all other charges and taxes.

3. The question for the tax shall be in substantially the following form:

Shall _____ (city name) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (city name) at a rate of _____ percent?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting thereon.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one

hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt;

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; [or]

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; **or**

(38) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to recreational boats that are used by transients for sleeping, which shall be at least two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one-quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

Shall _____ (name of county/city) impose a (countywide/citywide) sales tax at a rate of _____ (insert percentage) percent for the purpose of funding early childhood education in the

(county/city)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city shall not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of revenue on behalf of any county or city, less one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Early Childhood Education Sales Tax Trust Fund" and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and, notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.527 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.527 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.527 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit, exemption certificate, or retail certificate shall be required, except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All

discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.527 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.527.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall _____ (name of county/city) repeal the sales tax imposed at a rate of _____ (insert percentage) percent for the purpose of funding early childhood education in the (county/city)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and is approved by a majority of the qualified voters voting thereon.

7. If the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition signed by at least ten percent of the registered voters of the county or city voting in the last gubernatorial election calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes; the county or city shall notify the director of revenue of the action at least thirty days before the effective date of the repeal; and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed from the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county

or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

94.838. 1. As used in this section, the following terms mean:

(1) “Food”, all articles commonly used for food or drink, including alcoholic beverages, the provisions of chapter 311 notwithstanding;

(2) “Food establishment”, any café, cafeteria, lunchroom, or restaurant which sells food at retail;

(3) “Municipality”, any village or fourth class city with more than two hundred but less than three hundred inhabitants and located in any county of the third classification with a township form of government and with more than twelve thousand five hundred but less than twelve thousand six hundred inhabitants;

(4) “Transient guest”, a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

2. The governing body of any municipality may impose, by order or ordinance:

(1) A tax, not to exceed six percent per room per night, on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the municipality or a portion thereof; and

(2) A tax, not to exceed [two] **six** percent, on the gross receipts derived from the retail sales of food by every person operating a food establishment in the municipality.

The taxes shall be imposed solely for [the purpose of funding the construction, maintenance, and operation of capital improvements] **general revenue purposes**. The order or ordinance shall not become effective unless the governing body of the municipality submits to the voters of the municipality at a state general or primary election a proposal to authorize the governing body of the municipality to impose taxes under this section. The taxes authorized in this section shall be in addition to the charge for the sleeping room, the retail sales of food at a food establishment, and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

3. The ballot of submission for the taxes authorized in this section shall be in substantially the following form:

Shall _____ (insert the name of the municipality) impose a tax on the charges for all retail sales of food at a food establishment situated in _____ (name of municipality) at a rate of _____ (insert rate of percent) percent, and for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (name of municipality) at a rate of _____ (insert rate of percent) percent, solely for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the taxes shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the taxes shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such

question is approved by a majority of the qualified voters voting on the question.

4. Any tax on the retail sales of food imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, and any transient guest tax imposed under this section shall be administered, collected, enforced, and operated by the municipality imposing the tax. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Once the initial bonds, if any, have been satisfied, then the governing body of any municipality that has adopted the taxes authorized in this section may submit the question of repeal of the taxes to the voters on any date available for elections for the municipality. The ballot of submission shall be in substantially the following form:

Shall _____ (insert the name of the municipality) repeal the taxes imposed at the rates of _____ (insert rate of percent) and _____ (insert rate of percent) percent for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Once the initial bonds, if any, have been satisfied, then, whenever the governing body of any municipality that has adopted the taxes authorized in this section receives a petition, signed by ten percent of the registered voters of the municipality voting in the last gubernatorial election, calling for an election to repeal the taxes imposed under this section, the governing body shall submit to the voters of the municipality a proposal to repeal the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

94.842. 1. The governing body of any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be more than seven and one-half percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the

proceeds of such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. Such tax shall be stated separately from all other charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the _____ (city) levy a tax of _____ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for capital investments to increase tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.

94.844. 1. The governing body of any home rule city with more than forty-seven thousand but fewer than fifty-two thousand inhabitants and partially located in any county of the first classification with more than one hundred fifteen thousand but fewer than one hundred fifty thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be more than seven percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used solely for the construction, maintenance, and operation of convention and tourism facilities. Such tax shall be stated separately from all other

charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the _____ (city) levy a tax of _____ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for the construction, maintenance, and operation of convention and tourism facilities?

☐ **YES**

☐ **NO**

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.

94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants;

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(d) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand

inhabitants;

(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants;

(f) Any city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants;

(g) Any city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants;

(h) Any city of the fourth classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

(i) Any city of the third classification with more than thirteen thousand but fewer than fifteen thousand inhabitants and located in any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants; [or]

(j) Any city of the fourth classification with more than three thousand but fewer than three thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and that is not the county seat of such county;

(k) Any city of the fourth classification with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

(l) Any city of the fourth classification with more than eight thousand but fewer than twelve thousand inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants; or

(m) Any city of the fourth classification with more than four hundred fifty but fewer than five hundred inhabitants and located in any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city[,] including, but not limited to, expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of _____ (city's name) impose a citywide sales tax of _____ (insert amount) for the

purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of [the department of] revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “City Public Safety Sales Tax Trust Fund”. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of [the department of] revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of [the department of] revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of [the department of] revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of [the department of] revenue of the action at least ninety days prior to the effective date of the repeal and the director of [the department of] revenue may order retention in the trust fund, for a period of one year,

of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of [the department of] revenue shall remit the balance in the account to the city and close the account of that city. The director of [the department of] revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

94.902. 1. The governing bodies of the following cities **or villages** may impose a tax as provided in this section:

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants;

(4) Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants;

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

(6) Any city of the fourth classification with more than nine thousand five hundred but fewer than ten thousand eight hundred inhabitants;

(7) Any city of the fourth classification with more than five hundred eighty but fewer than six hundred fifty inhabitants;

(8) Any city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants; [or]

(9) Any city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand but fewer than twelve thousand inhabitants;

(10) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in any county of the third classification with a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants;

(11) Any city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants as the county seat; or

(12) Any village with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.

2. The governing body of any city **or village** listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city **or village** which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, [and] **except that a city listed under subdivision (10) or (11) of subsection 1 of this section may impose a tax of one-fourth, one-half, three-fourths, or one percent.** The tax shall be imposed solely for the purpose of improving the public safety for such city[,] **or village** including, but not limited to, expenditures on equipment, city **or village** employee salaries and benefits, and facilities for police, fire, and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city **or village** submits to the voters residing within the city **or village**, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city **or village** to impose a tax under this section.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the (city/village) of _____ ([city's] **insert name**) impose a (citywide/villagewide) sales tax at a rate of _____ (insert [rate of percent] **percentage**) percent for the purpose of improving the public safety of the (city/village)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city **or village**, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which

was collected in each city **or village** imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city **or village** and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city **or village** which levied the tax. Such funds shall be deposited with the city **or village** treasurer of each such city **or village**, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city **or village**. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The director of [the department of] revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city **or village** for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities **or villages**. If any city **or village** abolishes the tax, the city **or village** shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city **or village**, the director shall remit the balance in the account to the city and close the account of that city **or village**. The director shall notify each city **or village** of each instance of any amount refunded or any check redeemed from receipts due the city **or village**.

6. The governing body of any city **or village** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city **or village**. The ballot of submission shall be in substantially the following form:

Shall **the city of** _____ [(insert the name of the city)] repeal the sales tax imposed at a rate of _____ [(insert rate of percent)] percent for the purpose of improving the public safety of the (city/village)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city **or village** that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city **or village** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city **or village** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters

and the repeal is approved by a majority of the qualified voters voting on the question.

8. Any sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section that is in effect as of December 31, 2038, shall automatically expire. No city described under subdivision (6) of subsection 1 of this section shall collect a sales tax pursuant to this section on or after January 1, 2039. Subsection 7 of this section shall not apply to a sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

94.1014. 1. (1) The governing body of any city of the fourth classification with more than three thousand seven hundred but fewer than four thousand inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall not be more than five percent per occupied room per night.

(2) The tax shall not become effective unless the governing body of the city, at a state general or primary election, submits to the voters of the city a proposal to authorize the city to impose a tax under this section, and the voters approve the tax.

(3) The tax shall be in addition to the charge for the sleeping room and all other taxes imposed by law. The tax shall be stated separately from all other charges and taxes.

(4) The proceeds of the tax shall be used by the city for the promotion of tourism; growth of the region; economic development purposes; and public safety purposes including, but not limited to, equipment expenditures, employee salaries and benefits, and facilities for police, firefighters, or emergency medical providers.

2. The ballot for authorization of the tax shall be in substantially the following form:

Shall _____ (name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (name of the city) at a rate of _____ percent for the promotion of tourism, growth of the region, economic development, and public safety?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by qualified voters approve the proposal, the tax shall become effective on the first day of the second calendar quarter following the election. If a majority of the votes cast on the proposal by qualified voters opposed the proposal, the tax shall not become effective unless and until the proposal is again submitted to the voters of the city and is approved by a majority of the qualified voters voting thereon.

3. As used in this section, “transient guest” means any person who occupies a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill, page 49, section 143.991, line 10, by inserting immediately after all of said line the following:

“144.757. 1. Any county or municipality, except municipalities within a county having a charter form

of government with a population in excess of nine hundred thousand, may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085 at a rate equal to the rate of the local sales tax in effect in such county or municipality; provided, however, that no ordinance or order enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state general, primary or special election a proposal to authorize the governing body of the county or municipality to impose a local use tax pursuant to sections 144.757 to 144.761. Municipalities within a county having a charter form of government with a population in excess of nine hundred thousand may, upon voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890 for distribution of all municipal use taxes.

2. (1) The ballot of submission, except for counties and municipalities described in subdivisions (2) and (3) of this subsection, shall contain substantially the following language:

Shall the _____ (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, [currently _____ (insert percent),] provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) (a) The ballot of submission in a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

For the purposes of enhancing county and municipal public safety, parks, and job creation and enhancing local government services, shall the county be authorized to collect a local use tax equal to the total of the existing county sales tax rate [of (insert tax rate)], provided that if the county sales tax is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed, reduced or raised by the same voter action? Fifty percent of the revenue shall be used by the county throughout the county for improving and enhancing public safety, park improvements, and job creation, and fifty percent shall be used for enhancing local government services. The county shall be required to make available to the public an audited comprehensive financial report detailing the management and use of the countywide portion of the funds each year.

A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers and on certain taxable business transactions. [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(b) The ballot of submission in a municipality within a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(3) The ballot of submission in any city not within a county shall contain substantially the following language:

Shall the _____ (city name) impose a local use tax at the same rate as the local sales tax, [currently at a rate of _____ (insert percent)] which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? [A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.] **Approval of this question will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.**

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax and such proposal is approved by a majority of the qualified voters

voting thereon.

3. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

4. For purposes of sections 144.757 to 144.761, the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a description shall not change the classification, form or subject of the use tax or the manner in which it is collected.”; and

Further amend said bill, page 53, section 205.202, line 1, by inserting immediately after all of said line the following:

“321.552. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants; or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants, the governing body of any ambulance or fire protection district may impose a sales tax in an amount up to [one-half of] one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district’s tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall _____ (insert name of ambulance or fire protection district) impose a sales tax of _____ (insert amount up to [one-half] of] one percent) for the purpose of providing revenues for the operation of the _____ (insert name of ambulance or fire protection district) and the total property tax levy on properties in the _____ (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year’s revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the

ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted.

At the request of Senator Hoskins, **SB 704**, with **SS** and **SA 5** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HCS for **HB 2046**, entitled:

An Act to repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to professional license reciprocity.

Was taken up by Senator Bernskoetter.

Senator Bernskoetter offered **SS** for **HCS** for **HB 2046**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2046

An Act to repeal sections 58.095, 58.720, 193.145, 193.265, 324.009, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, 334.725, 336.080, 337.020, 337.029, and 337.050, RSMo, and to enact in lieu thereof twenty-five new sections relating to professional registration, with existing penalty provisions.

Senator Bernskoetter moved that **SS** for **HCS** for **HB 2046** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 9, Section 58.720, Line 22 of said page, by striking “medical examiner” and inserting in lieu thereof the following: “**coroner**”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator May offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 49, Section 337.050, Line 8 of said page, by inserting immediately after all of said line the following:

“454.1005. 1. To show cause why suspension of a license may not be appropriate, the obligor shall request a hearing from the court or division that issued the notice of intent to suspend the license. The request shall be made within sixty days of the date of service of notice.

2. If an obligor fails to respond, without good cause, to a notice of intent to suspend a license[,] **or to** timely request a hearing or comply with a payment plan, [the obligor’s defenses and objections shall be considered to be without merit and] the court or director may enter an order suspending the obligor’s license and ordering the obligor to refrain from engaging in the licensed activity.

3. **Due process requires that**, upon timely receipt of a request for hearing from an obligor, the court or director shall schedule a hearing **that complies with due process** to determine if suspension of the obligor’s license is appropriate **considering all relevant factors**. The court or director shall stay suspension of the license pending the outcome of the hearing.

4. [If the action involves an arrearage, the only issues that may be determined in a hearing pursuant to this section are] **In determining whether the license suspension is appropriate under the circumstances, the court or director shall consider and issue written findings of fact and conclusions of law within thirty days following the hearing regarding the following:**

(1) The identity of the obligor;

(2) Whether the arrearage is in an amount greater than or equal to three months of support payments or two thousand five hundred dollars, whichever is less, by the date of service of a notice of intent to suspend;

[and]

(3) Whether the obligor has entered a payment plan. If the action involves a failure to comply with a subpoena or order, the only issues that may be determined are the identity of the obligor and whether the obligor has complied with the subpoena or order;

(4) Whether the obligor had the ability to make the payments that are in arrearage;

(5) Whether the obligor has the current ability to make the payments;

(6) The reasons the obligor needs the license, including, but not limited to:

(a) Transportation of family members to and from work, school, or medical treatment;

(b) Transportation of the obligor or family members to extra curricular activities; or

(c) A requirement for employment;

(7) Whether the obligor is unemployed or underemployed;

(8) Whether the obligor is actively seeking employment;

(9) Whether the obligor has been offered job assistance through the state;

(10) Whether the obligor is disabled and his or her capacity to work; and

(11) Any other relevant factors that affect the obligor's ability to make the child support payments.

5. If the court or director, after the hearing, determines that the obligor has failed to comply with the child support payment obligation and an arrearage exists in excess of two thousand five hundred dollars for good cause, then the court or director shall not issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity or, if an order is in place, shall stay such order.

6. If the court or director, after hearing, determines that the obligor has failed, without good cause, to comply with any of the requirements in subsection 4 of this section, the court or director shall issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity.

[6.] 7. The court or division shall send a copy of the order suspending a license to the licensing authority and the obligor by certified mail.

[7.] 8. The determination of the director, after a hearing pursuant to this section, shall be a final agency decision and shall be subject to judicial review pursuant to chapter 536. Administrative hearings held pursuant to this section shall be conducted by hearing officers appointed by the director of the department pursuant to subsection 1 of section 454.475.

[8.] 9. A determination made by the court or division pursuant to this section is independent of any proceeding of the licensing authority to suspend, revoke, deny, terminate or renew a license.”; and

Further amend the title and enacting clause accordingly.

Senator Hough assumed the Chair.

Senator May moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Arthur, Rizzo, Walsh and White.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Arthur	May	Nasheed	Rizzo	Schupp	Walsh	Williams—7
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NAYS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Onder	Riddle	Rowden	Sater	Schatz	Sifton
Wallingford	White	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Brown offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 12, Section 58.720, Line 11 of said page, by inserting immediately after all of said line the following:

“190.094. 1. Any ambulance licensed in this state, when used as an ambulance and staffed with volunteer staff, shall be staffed with a minimum of one emergency medical technician and one other crew member who may be a licensed emergency medical technician, registered nurse, physician, **physician assistant**, or someone who has an emergency medical responder certification.

2. When transporting a patient, at least one licensed emergency medical technician, registered nurse, **physician assistant**, or physician shall be in attendance with the patient in the patient compartment at all times.

3. For purposes of this section, “volunteer” shall mean an individual who performs hours of service without promise, expectation or receipt of compensation for services rendered. Compensation such as a nominal stipend per call to compensate for fuel, uniforms, and training shall not nullify the volunteer status.

190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for an ambulance service issued pursuant to the provisions of sections 190.001 to 190.245.

2. No ground ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes in the state of Missouri unless the ground ambulance is under the immediate supervision and direction of a person who is holding a currently valid Missouri license as an emergency medical technician. Nothing in this section shall be construed to mean that a duly registered nurse [or], a duly licensed physician, **or a duly licensed physician assistant** be required to hold an emergency medical technician’s license. **When a physician assistant is in attendance with a patient on an ambulance, the physician assistant shall be exempt from any mileage limitations in any**

collaborative practice arrangement prescribed under law. Each ambulance service is responsible for assuring that any person driving its ambulance is competent in emergency vehicle operations and has a safe driving record. Each ground ambulance shall be staffed with at least two licensed individuals when transporting a patient, except as provided in section 190.094. In emergency situations which require additional medical personnel to assist the patient during transportation, an emergency medical responder, firefighter, or law enforcement personnel with a valid driver's license and prior experience with driving emergency vehicles may drive the ground ambulance provided the ground ambulance service stipulates to this practice in operational policies.

3. No license shall be required for an ambulance service, or for the attendant of an ambulance, which:

(1) Is rendering assistance in the case of an emergency, major catastrophe or any other unforeseen event or series of events which jeopardizes the ability of the local ambulance service to promptly respond to emergencies; or

(2) Is operated from a location or headquarters outside of Missouri in order to transport patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri, but no such outside ambulance shall be used to pick up patients within Missouri for transportation to locations within Missouri, except as provided in subdivision (1) of this subsection.

4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245 shall not be construed so as to authorize any person to provide ambulance services or to operate any ambulances without a franchise in any city not within a county or in a political subdivision in any county with a population of over nine hundred thousand inhabitants, or a franchise, contract or mutual-aid agreement in any other political subdivision which has enacted an ordinance making it unlawful to do so.

5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or regulation not in conflict with such sections by any city not within a county, or at least as strict as such sections by any county, municipality or political subdivision except that no such regulations or ordinances shall be adopted by a political subdivision in a county with a population of over nine hundred thousand inhabitants except by the county's governing body.

6. In a county with a population of over nine hundred thousand inhabitants, the governing body of the county shall set the standards for all ambulance services which shall comply with subsection 5 of this section. All such ambulance services must be licensed by the department. The governing body of such county shall not prohibit a licensed ambulance service from operating in the county, as long as the ambulance service meets county standards.

7. An ambulance service or vehicle when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad safety.

8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of such employer's employees whose illness or injury occurs on private property, and not on a public highway or property, nor to any person operating such a motor vehicle.

9. A political subdivision that is authorized to operate a licensed ambulance service may establish, operate, maintain and manage its ambulance service, and select and contract with a licensed ambulance service. Any political subdivision may contract with a licensed ambulance service.

10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection 2 of section 190.109, shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to promulgate laws, ordinances or regulations related to the provision of ambulance services. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to operate an ambulance service without a franchise in an ambulance district or a fire protection district that is authorized to provide ambulance service which has enacted an ordinance making it unlawful to do so. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

12. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section, is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages pursuant to chapter 67.

14. Upon the sale or transfer of any ground ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245.

190.143. 1. Notwithstanding any other provisions of law, the department may grant a ninety-day temporary emergency medical technician license to all levels of emergency medical technicians who meet the following:

(1) Can demonstrate that they have, or will have, employment requiring an emergency medical technician license;

(2) Are not currently licensed as an emergency medical technician in Missouri or have been licensed as an emergency medical technician in Missouri and fingerprints need to be submitted to the Federal Bureau of Investigation to verify the existence or absence of a criminal history, or they are currently licensed and the license will expire before a verification can be completed of the existence or absence of a criminal history;

(3) Have submitted a complete application upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245;

(4) Have not been disciplined pursuant to sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245;

(5) Meet all the requirements of rules promulgated pursuant to sections 190.001 to 190.245.

2. A temporary emergency medical technician license shall only authorize the license to practice while under the immediate supervision of a licensed emergency medical technician, registered nurse, **physician assistant**, or physician who is currently licensed, without restrictions, to practice in Missouri.

3. A temporary emergency medical technician license shall automatically expire either ninety days from the date of issuance or upon the issuance of a five-year emergency medical technician license.

190.196. 1. No employer shall knowingly employ or permit any employee to perform any services for which a license, certificate or other authorization is required by sections 190.001 to 190.245, or by rules adopted pursuant to sections 190.001 to 190.245, unless and until the person so employed possesses all licenses, certificates or authorizations that are required.

2. Any person or entity that employs or supervises a person's activities as an emergency medical responder, emergency medical dispatcher, emergency medical technician, registered nurse, **physician assistant**, or physician shall cooperate with the department's efforts to monitor and enforce compliance by those individuals subject to the requirements of sections 190.001 to 190.245.

3. Any person or entity who employs individuals licensed by the department pursuant to sections 190.001 to 190.245 shall report to the department within seventy-two hours of their having knowledge of any charges filed against a licensee in their employ for possible criminal action involving the following felony offenses:

- (1) Child abuse or sexual abuse of a child;
- (2) Crimes of violence; or
- (3) Rape or sexual abuse.

4. Any licensee who has charges filed against him or her for the felony offenses in subsection 3 of this section shall report such an occurrence to the department within seventy-two hours of the charges being filed.

5. The department will monitor these reports for possible licensure action authorized pursuant to section 190.165.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 27, Section 324.035, Line 16 of said page, by inserting after all of said line the following:

“324.1200. As used in sections 324.1200 to 324.1234, the following terms mean:

- (1) “Division”, the division of professional registration;**
- (2) “Independent contractor”, a person or entity contracted to perform work for another entity as a nonemployee;**
- (3) “Nonresident contractor”, any contractor who:**
 - (a) Has not established and maintained a place of business as a roofing contractor in this state within the preceding year;**
 - (b) Claims residency in another state; or**

(c) Has not submitted an income tax return as a resident of this state within the preceding year;

(4) “Person”, any individual, firm, partnership, association, corporation, limited liability company, or other group or combination thereof acting as a unit;

(5) “Roofing contractor”, a person or entity with the experience, knowledge, and skill to construct, reconstruct, alter, maintain, and repair roofs and use materials and items used in the construction, reconstruction, alteration, maintenance, and repair of all kinds of roofing and waterproofing as related to roofing, all in compliance with all plans, specifications, codes, laws, and regulations applicable thereto. “Roofing contractor” shall not mean:

(a) A person engaged in the demolition of a structure or the cleanup of construction waste and debris that contains roofing material; or

(b) A person working under the direct supervision of a roofing contractor and who is hired by such roofing contractor as an employee, day laborer, or contract laborer.

324.1202. 1. No person shall engage in the business of or act in the capacity of a roofing contractor within this state without a valid registration certificate as required by sections 324.1200 to 324.1232 after August 28, 2021.

2. No person shall bring or maintain any claim, action, suit, or proceeding in any court of this state related to such person’s business or capacity as a roofing contractor without a valid registration certificate as required by sections 324.1200 to 324.1232.

3. Any person who fails to obtain a valid registration certificate prior to acting as a roofing contractor shall be liable for a civil penalty in an amount provided in subsection 4 of this section.

4. (1) The commission of any act or practice declared to be a violation of sections 324.1200 to 324.1232 shall render the violator liable to the aggrieved consumer, or to the state or county as provided in subdivision (3) of this subsection, for the payment of a civil penalty recoverable in an individual action, including an action brought by the attorney general, in a sum set by the court of no more than ten thousand dollars for each violation. An aggrieved consumer shall not be a required party in actions brought by the attorney general or a prosecuting attorney under this section.

(2) Any roofing contractor who willfully violates the terms of any court order issued under this section shall pay a civil penalty of no more than twenty thousand dollars per violation, in addition to other penalties that may be imposed by the court as the court shall deem necessary and proper. For the purposes of this section, the court issuing an order shall retain jurisdiction, and in such cases the attorney general may petition for the recovery of civil penalties.

(3) In administering and pursuing actions under sections 324.1200 to 324.1232, the attorney general and the prosecuting attorney are authorized to sue for and collect reasonable expenses and investigation fees as determined by the court. Civil penalties or contempt penalties sued for and recovered by the attorney general shall be paid into the roofing contractor registration fund established in section 324.1230.

(4) Any act or practice declared to be a violation of sections 324.1200 to 324.1232 not identified to be in connection with a specific consumer transaction but that is continuing in nature shall be deemed a separate violation each day such act or practice exists.

5. Any person who acts as a roofing contractor while such person’s registration certificate as a

roofing contractor is suspended or revoked shall be liable for a civil penalty as provided in subsection 4 of this section. Any civil penalty shall be in addition to any other relief that may be granted or any other penalty prescribed by law.

6. (1) Any roofing contractor utilizing an independent contractor to engage in the business of commercial or residential roofing services for a fee shall ensure that the independent contractor has a valid registration certificate as required by sections 324.1200 to 324.1232.

(2) If a roofing contractor is found to be utilizing an independent contractor that is not certified, such roofing contractor shall be subject to having his or her registration certificate revoked, and such roofing contractor shall be subject to penalties set forth in this section.

324.1204. 1. The division shall establish a system of registration of roofing contractors. The division shall create forms necessary for the registration of roofing contractors and for the administration of sections 324.1200 to 324.1232.

2. The division is authorized to adopt rules and regulations necessary to implement the provisions of sections 324.1200 to 324.1232 including, but not limited to, rules concerning:

(1) Fees necessary to fund the expenses and operation costs incurred in the administration and enforcement of sections 324.1200 to 324.1232;

(2) The acquisition of insurance, indemnity coverage, or surety bonds in amounts determined by the division; and

(3) Any other matter deemed necessary by the division to carry out, implement, and enforce sections 324.1200 to 324.1232.

3. The division shall have authority to promulgate rules and regulations to implement the provisions of sections 324.1200 to 324.1232. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

324.1206. 1. A roofing contractor registration certificate shall be granted to any applicant who is at least eighteen years of age and who submits an application under oath or affirmation containing:

(1) A statement of the applicant's experience and qualifications as a roofing contractor;

(2) The applicant's name, physical address, business name and address, information on any other person who will be authorized to act as the business entity, and the applicant's phone number;

(3) A copy of the roofing contractor's certificate of liability insurance, which shall be filed with the application and shall have a coverage limit of no less than five hundred thousand dollars. Any insurance company issuing a liability policy to a roofing contractor shall be required to notify the division in the event such liability policy is cancelled or lapses for any reason;

(4) Proof satisfactory to the division that the applicant has secured either workers' compensation coverage satisfactory under chapter 287 or an affidavit of exemption or self-insurance as authorized

under chapter 287; and

(5) Any other information deemed necessary in assisting the division to register such person as a roofing contractor.

2. The application shall also contain statements that the applicant:

(1) Desires the issuance of a roofing contractor registration certificate;

(2) Agrees to comply with the provisions of sections 324.1200 to 324.1232;

(3) Agrees to comply with all federal and state laws and local ordinances; and

(4) Is registered or licensed as a roofing contractor in another state, if any disciplinary action was taken against such registration or license, or if such registration or license is currently in good standing. If the applicant is not a resident of this state, such applicant shall appoint the secretary of state as legal agent for service of process or as otherwise provided in sections 324.1200 to 324.1232.

3. At the time of applying for a roofing contractor registration certificate, the applicant shall pay to the division a fee of two hundred fifty dollars for the annual registration certificate.

4. The division shall refuse to register any applicant if the division determines:

(1) The application contains false, misleading, or incomplete information;

(2) The applicant fails or refuses to provide any information requested by the division;

(3) The applicant fails or refuses to pay the required fees;

(4) The applicant is ineligible for registration due to a suspended or revoked registration in this state;

(5) The nonresident applicant has a revoked or suspended registration or license for roofing contractors required by law in another state; or

(6) The applicant fails to provide a current tax clearance certificate or letter from the department of revenue along with the filing of any application.

5. (1) The division shall notify the applicant in writing if an application for a registration certificate or renewal of a registration certificate is denied and shall provide the applicant an opportunity to respond to or cure any defect in the written application or renewal for a period of ten days from the date of written notification.

(2) Notification shall be deemed sufficient if mailed, via first-class mail, to the address listed in the most recent application for registration or renewal filed by the applicant.

(3) An applicant aggrieved by a decision of the division denying a registration or renewal may appeal the decision under chapter 536 to the administrative hearing commission pursuant to chapter 621. In the alternative, the applicant may reapply after the expiration of a ninety-day waiting period if the applicant is otherwise eligible under the provisions of this section.

(4) All application and renewal fees shall be nonrefundable.

6. The division shall classify as not in good standing the registration certificate of any roofing contractor who fails to:

(1) Maintain liability insurance coverage;

(2) Maintain workers' compensation coverage satisfactory under chapter 287, or provide an affidavit of exemption or self-insurance as authorized under chapter 287;

(3) Maintain an active status of a corporation or registration as a foreign corporation, a limited liability company or foreign limited liability company, a limited liability partnership registration or foreign limited liability partnership registration, or a limited partnership certificate of authority or a foreign limited partnership certificate of authority with the office of the secretary of state;

(4) Maintain or renew a roofing contractor registration certificate as provided in sections 324.1200 to 324.1232;

(5) Notify the division of any act or omission specified in subsection 1 of section 324.1218, or any other violation of sections 324.1200 to 324.1232;

(6) Maintain any registration as required by law in another state while registered in this state as a nonresident roofing contractor; or

(7) File and pay all taxes when due in this state.

7. The division shall send a written notice to the person if such person's registration is no longer considered to be in good standing. Notification shall be deemed sufficient if mailed, via first-class mail, to the address listed on the most recent registration or renewal form filed by the applicant. Any roofing contractor who has been notified by the division that such person's registration is not in good standing shall cease soliciting or entering into new roofing services and projects as of the date of such notification. The roofing contractor shall be allowed to complete roofing projects if actual physical work has begun prior to the date of issuance of the notice that such roofing contractor's registration is not in good standing. If the roofing contractor fails to correct the deficiency specified in the notice by evidence satisfactory to the division within thirty days of the date of the notice, or if the roofing contractor solicits or enters into new roofing services, contracts, or projects while the roofing contractor's registration certificate is not in good standing or while such registration certificate is suspended or revoked, the roofing contractor shall be in violation of the provisions of sections 324.1200 to 324.1232. Any registration certificate that is not in good standing shall be revoked thirty days from the date of notification to the roofing contractor that the registration is not in good standing. The roofing contractor may reinstate such registration to good standing by paying the required fees provided in section 324.1216 and complying with all requirements for issuance of a registration certificate in good standing.

8. Any person aggrieved by the decision of the division to suspend or revoke a registration certificate under this section may appeal such decision as provided in chapter 536 to the administrative hearing commission pursuant to chapter 621.

324.1208. 1. All applications for a registration certificate and renewal applications shall require the applicant to answer under oath or affirmation whether the applicant has been convicted of a felony offense in this state, another state, or any other place, and the nature of the offense upon which a conviction was imposed.

2. Conviction of an offense shall not disqualify a person from registration as a roofing contractor under sections 324.1200 to 324.1232, provided that the applicant has truthfully disclosed the

conviction and nature of the offense.

3. The division may conduct a criminal history records search or background check on any applicant or registered roofing contractor and may investigate the information submitted on a roofing contractor application or renewal form, provided that no adverse action may be taken against the person until such person has been notified and given an opportunity to respond in writing.

324.1210. Within sixty days from the date of application, the division shall either issue or deny the roofing contractor registration certificate. No registration certificate shall be issued to an applicant until the division receives all documentation and fees necessary to obtain a registration certificate. The registration certificate issued on an original application entitles the person to act as a roofing contractor within this state, subject to the limitations of sections 324.1200 to 324.1232, until the expiration of the fiscal year ending June thirtieth; except that, an initial registration certificate issued in May or June shall be valid until June thirtieth of the subsequent year.

324.1212. The holder of a roofing contractor registration certificate may engage in roofing business within this state under the provisions of sections 324.1200 to 324.1232 and subject to the following limitations:

(1) A roofing contractor's registration certificate number shall be valid and in good standing at the time of soliciting a project and during subsequent job performance;

(2) A roofing contractor's registration certificate number shall be submitted when applying for any permit issued by the state or a political subdivision of the state for commercial or residential roofing services or projects, if a permit is required by such authority, and shall be written upon each permit issued;

(3) A roofing contractor's registration certificate shall not be shared or used by any other individual or business entity; except that, a business firm, partnership, association, corporation, limited liability company, or other group or combination thereof acting as a unit may be granted a single roofing registration certificate number for use by the designated roofing contractors acting as agents for the business entity if the application for registration certificate contains sufficient information on each member, partner, officer, and agent, and the division issues a single certificate number to such persons as a business unit;

(4) The division shall be notified in writing upon any change to the name, address, business entity, or resident agent of a roofing contractor; adjudication by a court of competent jurisdiction for a violation of sections 324.1200 to 324.1232; or an act or omission specified in subsection 1 of section 324.1218;

(5) A roofing contractor shall comply with all state laws and local ordinances; and

(6) A roofing contractor shall pay taxes due in this state.

324.1214. No later than ten days after the date of a change in a roofing contractor's name, address, or legal service agent, or upon a registered roofing contractor's ceasing business as a roofing contractor, such person shall notify the division of the change on a form provided by the division. A change of name or address shall be accompanied by a fee of fifty dollars. No person shall change such person's name under an active registration certificate if the change is associated with a change in the legal status of the business entity other than change in marital status. Conducting business under a

new business name or a change in legal status of a business shall require issuance of a new registration certificate. If a registered roofing contractor ceases to be active as a roofing contractor, the contractor shall notify the division within ten days and the division shall suspend the registration certificate of such contractor as soon as practicable after receiving the notification.

324.1216. 1. (1) Any roofing contractor registration certificate issued under sections 324.1200 to 324.1232 may be renewed for each successive fiscal year by obtaining a certificate of renewal from the division. To obtain a certificate of renewal, an applicant shall file with the division a renewal application by June thirtieth and pay the required renewal fee. The application for renewal shall require statements under oath or affirmation of whether the applicant has been convicted of a felony offense and the nature of such offense since issuance of the prior registration certificate, and whether the applicant has been adjudicated by a court of competent jurisdiction for any violation of sections 324.1200 to 324.1232 or any act or omission specified in subsection 1 of section 324.1218.

(2) The applicant shall include with the renewal application a copy of the certificate of liability insurance; proof of workers' compensation coverage, unless exempt or self-insured under chapter 287; a copy of the current registration certificate required by law for roofing contractors, if applicable; and a current tax clearance certificate from the department of revenue.

2. The division shall refuse to renew a roofing contractor's registration certificate for any reason stated in subsection 4 of section 324.1206. The division shall notify the applicant in writing if the division denies the renewal as provided in subsection 4 of section 324.1206.

3. If any roofing contractor fails to file a renewal application by the June thirtieth deadline, the contractor's registration certificate shall be deemed to not be in good standing. A roofing contractor shall have a thirty-day grace period after June thirtieth to renew such registration certificate without a late fee. After thirty days, a late fee of two hundred fifty dollars shall be assessed. If the certificate is not renewed before July thirty-first, the certificate shall be revoked.

4. (1) A roofing contractor seeking to renew a registration certificate that has been suspended for any cause provided in sections 324.1200 to 324.1232 prior to the June thirtieth deadline shall be assessed a fee equal to twice the amount of the registration fee established in section 324.1206.

(2) The division shall assess a reinstatement fee in an amount of seven hundred fifty dollars plus the registration fee established by section 324.1206 for any registration certificate that has been revoked for any cause provided in sections 324.1200 to 324.1232.

(3) A roofing contractor submitting an application for a registration certificate after suspension or revocation shall be eligible for registration under sections 324.1200 to 324.1232.

5. The division shall include a registration status notation in a roofing contractor's record if the status of registration changes from active and valid to not in good standing, denied, suspended, or revoked.

324.1218. 1. No roofing contractor or any person providing services as a roofing contractor shall:

(1) Abandon a roofing contract without legal grounds after a deposit of moneys or other consideration has been paid;

(2) Divert any funds or property entrusted to a roofing contractor;

(3) Engage in any fraudulent or deceptive acts or practices or misrepresentation of products,

services, or qualifications as a roofing contractor;

(4) Make a false or misleading statement in an application for a roofing contractor registration certificate or renewal application or in soliciting a contract for roofing services;

(5) Violate any judgment or order by a court of competent jurisdiction against the roofing contractor for violation of the provisions of sections 324.1200 to 324.1232;

(6) Engage in work without a valid registration certificate as required for roofing contractors under sections 324.1200 to 324.1232, or perform roofing services during any period when the roofing contractor's registration certificate is denied, suspended, or revoked;

(7) Engage in roofing services without obtaining a proper permit as may be required by any state or local authority;

(8) Fail to comply with any tax laws authorized by the state or any political subdivision of the state;

(9) Damage or injure any person or property while performing roofing services under a valid roofing contractor registration certificate for which the roofing contractor's liability insurance or workers' compensation coverage is inadequate; or

(10) Fail to comply with any provision of sections 324.1200 to 324.1232 or any rule or regulation adopted thereunder.

2. Any person may file a duly verified complaint with the attorney general alleging one or more violations of subsection 1 of this section. The complaint shall be on a form approved by the attorney general and shall set forth the alleged act or omission stated in subsection 1 of this section and a statement of sufficient facts upon which a reasonable person could conclude that the act or omission specified in subsection 1 of this section has been committed. Nothing in this section shall be construed to require the complainant to first file a complaint with the attorney general before seeking relief or remedies allowed by law.

3. A complaint received by the attorney general as provided in this section may be reviewed by the attorney general for appropriate disposition or investigation. The attorney general is hereby authorized to:

(1) Investigate the registrant's operations, books, and records as the attorney general deems necessary for the protection of the public and control access to any documents and records of the licensee or registrant under investigation;

(2) Charge reasonable costs of investigation, examination, and administration of this section, to be paid by the applicant, licensee, or registrant;

(3) Exchange any information regarding the administration of sections 324.1200 to 324.1232 with any agency of the United States, or any state or political subdivision thereof that regulates the licensee or registrant or administers statutes, rules and regulations, or programs related to the roofing business, and to enter into information-sharing arrangements with other governmental agencies or associations representing governmental agencies that are deemed necessary or beneficial to the administration of sections 324.1200 to 324.1232;

(4) Disclose to any person or entity that an applicant's, licensee's, or registrant's application,

license, or registration certificate has been denied, suspended, revoked, or refused renewal;

(5) Require or permit any person to file a written statement, under oath, affirmation, or otherwise as the attorney general may direct, setting forth all the facts and circumstances concerning any apparent violation of sections 324.1200 to 324.1232, any rule or regulation promulgated thereunder, or any other issue under sections 324.1200 to 324.1232;

(6) Receive, as a condition of settlement of any investigation or examination, a payment designated for the roofing contractor registration fund as directed by the attorney general;

(7) Establish relationships or contracts with any other government programs that require the licensing or registration of roofing contractors or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees, registrants, or other persons subject to sections 324.1200 to 324.1232, and to take such other actions as may be reasonably necessary to facilitate cooperation between such governmental entities or agencies and industry trade associations. The attorney general shall regularly report violations of law, as well as enforcement actions and other relevant information, to any multistate or nationwide licensing system and registry; and

(8) Require any registrant to file with any such roofing contractor licensing system or registry in the form prescribed by the attorney general or the attorney general's designee.

4. For the purpose of any examination, investigation, or proceeding under sections 324.1200 to 324.1232, the attorney general or his or her designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, produce evidence, and require the production of any material that is relevant to the examination or investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things, and the identity and location of persons having knowledge of relevant acts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

5. If any person refuses to obey a subpoena or court order, any court of competent jurisdiction, upon application by the attorney general, may issue to that person an order requiring the person to appear before the attorney general or his or her designee to produce documentary evidence if so ordered, or to give evidence relevant to the matter under investigation. Any failure to obey the order of the court may be punished by the court as a contempt of court.

6. No person shall be excused from attending and testifying or from producing any document or record before the attorney general, in obedience to the subpoena of the attorney general, or in any proceeding instituted by the attorney general on the ground that the testimony or evidence, documentary or otherwise, required of the person may incriminate the person or subject the person to a penalty or forfeiture. No individual may be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction or matter concerning which such person is compelled, after claiming privilege against self-incrimination, to testify or produce evidence, documentary or otherwise; except that, the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

324.1220. 1. (1) Every applicant for a roofing contractor's registration certificate who is a nonresident contractor may apply for a registration certificate by signing and filing the application, appointing the secretary of state as the applicant's true and lawful agent upon whom may be served

all lawful process in any action or proceeding against such nonresident contractor for construction projects performed in this state. Such appointment shall be evidence of the roofing contractor's consent that any process against the contractor that is served upon the secretary of state shall be of the same legal force and effect as if served upon the contractor personally within this state.

(2) Registered foreign corporations, registered foreign limited liability companies, foreign limited liability partnerships, and foreign limited partnerships that are authorized to do business in this state and that have a current registered agent and registered address on file in the office of the secretary of state shall not be required to appoint the secretary of state as agent for service of process under this section.

2. Within ten days after service of the summons upon the secretary of state, notice of such service with the summons and complaint in the action shall be sent to the defendant roofing contractor at his or her last known address by registered or certified mail with return receipt requested, and proof of such mailing shall be attached to the summons.

3. The secretary of state shall keep a record of all process served upon the secretary of state under this section, showing the day and time of service. If service of process is made under this section, the court, before entering a default judgment or at any stage of the proceeding, may order such continuance as may be necessary to afford the defendant contractor reasonable opportunity to defend any action pending against the defendant contractor.

324.1222. 1. If applying for any permit required by the state or any of its political subdivisions for roofing services or jobs, a roofing contractor shall supply the permit-issuing official with his or her registration certificate number issued under sections 324.1200 to 324.1232. Such official shall enter the roofing contractor's registration certificate number on the permit.

2. Although exempt from the registration requirements of sections 324.1200 to 324.1232, any person performing as a roofing contractor on such person's own property shall, if applying for a permit required for the project, supply the permit-issuing official any roofing contractor registration certificate number, as soon as available, of each roofing subcontractor engaged in roofing services and doing work covered by the permit, if any. Such official shall enter each roofing contractor registration certificate number so supplied before inspection of the job.

3. A roofing contractor shall display such contractor's roofing contractor registration certificate number on each commercial vehicle used for roofing services and upon every business sign, card, correspondence, and contract used to solicit and conduct roofing services in this state.

324.1224. 1. Upon request, the division shall verify a roofing contractor registration certificate number to city, county, and state enforcement officials and to the public.

2. The division shall establish a system for the public to confirm roofing contractor registration certificates. Such system shall include a listing of valid registration certificates and such other information collected under sections 324.1200 to 324.1232 as the division may deem appropriate. In addition, the system may include a notation for any conviction of a criminal violation in this state, another state, or the United States if disclosed by a criminal history records search on an individual roofing contractor. Disclosure of any information through the use of the roofing contractor registration certificate system or information maintained by the division shall not be deemed to be an endorsement of any roofing contractor or determination of any facts, qualifications, information,

or reputation of any roofing contractor by the division, the state, or any of their respective agents, officers, employees, or assigns.

324.1226. Sections 324.1200 to 324.1232 shall be construed to be in addition to, and not in lieu of, any required licensure of persons for certain professions and trades in this state, and sections 324.1200 to 324.1232 shall not be deemed to conflict with or affect the authority of any state or local agency, board, or commission whose duty and authority is to administer or enforce any law or ordinance or to establish, administer, or enforce any policy, rule, qualification, or standard for any trade or profession.

324.1228. 1. Any violation of sections 324.1200 to 324.1232 shall be deemed to be an unlawful practice under the provisions of the Missouri merchandising practices act set forth in chapter 407.

2. The provisions of sections 324.1200 to 324.1232 shall be part of and supplemental to the Missouri merchandising practices act as set forth in chapter 407.

324.1230. 1. There is hereby created in the state treasury the “Roofing Contractor Registration Fund”, to be administered by the division. All moneys received by the division from fees, charges, or penalties shall be remitted to the state treasurer, who shall deposit the entire amount thereof in the state treasury to the credit of the roofing contractor registration fund. All moneys credited to the roofing contractor registration fund shall be expended for the administration of the duties, functions, and operating expenses of sections 324.1200 to 324.1232. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the division for the purposes of administering the provisions of sections 324.1200 to 324.1232.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

324.1232. 1. Sections 324.1200 to 324.1232 shall not apply to:

(1) An actual owner of commercial, residential, or farm property who physically performs or has employees who physically perform roofing services, including construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of materials or structures, on such owner’s own dwelling or another structure located on the residential or farm property owned by such person without the assistance of any registered roofing contractor;

(2) Any authorized employee, representative, or representatives of the United States government, the state of Missouri, or any political subdivision of the state;

(3) Any person who furnishes any fabricated or finished product, material, or article of merchandise that is not incorporated into or attached to real property by such person so as to become affixed thereto;

(4) Any person employed by a manufactured home and modular home manufacturer while acting within the scope of that license;

(5) Any person employed by a manufactured home dealer while acting within the scope of that license;

(6) Any person employed as a manufactured home installer while acting within the scope of that license; and

(7) Any person who provides roofing services that, on each and every undertaking or project during a fiscal year, bear an aggregate price, including labor, materials, and all other items, that is quoted, bid, offered, agreed, contracted, billed, collected, and paid at less than two thousand dollars. This exemption shall not apply to a person who advertises to the public that such person is a roofing contractor or that the person is qualified to engage in the business of a roofing contractor.

2. Any administrative or governing body with authority to enter into public contracts shall require individual roofing contractor registration for the purpose of such persons submitting or entering into any bid or contract.

324.1234. Any person who violates any provision of sections 324.1200 to 324.1232 is guilty of a class D misdemeanor. A second conviction for violating any provision of sections 324.1200 to 324.1232 within ten years after the first conviction is a class B misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Walsh offered **SA 5:**

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 25, Section 324.009, Line 8 of said page, by inserting immediately after said line the following:

“12. The provisions of this section shall not apply to any occupation set forth in subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to 324.945.”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Hoskins offered **SA 6:**

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 27, Section 324.035, Line 16 of said page, by inserting after all of said line the following:

“326.277. 1. Prior to June 30, 2021, for an applicant to be eligible to apply for the examination, the applicant shall fulfill the education requirements of subdivision (4) of subsection 1 of section 326.280.

2. On or after June 30, 2021, for an applicant to be eligible to apply for the examination, the applicant shall:

(1) Provide proof that the applicant has completed at least one hundred twenty semester hours of college education at an accredited college or university recognized by the board, with an accounting concentration or equivalent as determined by the board by rule;

(2) Be at least eighteen years of age; and

(3) Be of good moral character.

326.280. 1. A license shall be granted by the board to any person who meets the requirements of this chapter and who:

(1) Is a resident of this state or has a place of business in this state or, as an employee, is regularly employed in this state;

(2) Has attained the age of eighteen years;

(3) Is of good moral character;

(4) Either:

(a) Applied for the initial examination prior to June 30, 1999, and holds a baccalaureate degree conferred by an accredited college or university recognized by the board, with a concentration in accounting or the substantial equivalent of a concentration in accounting as determined by the board; or

(b) Applied for the initial examination on or after June 30, 1999, and has at least one hundred fifty semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university recognized by the board, with the total educational program including an accounting concentration or equivalent as determined by board rule to be appropriate;

(5) Has passed an examination in accounting, auditing and such other related subjects as the board shall determine is appropriate; and

(6) Has had one year of experience. Experience shall be verified by a licensee and shall include any type of service or advice involving the use of accounting, attest, compilation, management advisory, financial advisory, tax or consulting skills including governmental accounting, budgeting or auditing. The board shall promulgate rules and regulations concerning the verifying licensee's review of the applicant's experience.

2. The board may prescribe by rule the terms and conditions for reexaminations and fees to be paid for reexaminations.

3. A person who, on August 28, 2001, holds an individual permit issued pursuant to the laws of this state shall not be required to obtain additional licenses pursuant to sections 326.280 to 326.286, and the licenses issued shall be considered licenses issued pursuant to sections 326.280 to 326.286. However, such persons shall be subject to the provisions of section 326.286 for renewal of licenses.

4. Upon application, the board may issue a temporary license to an applicant pursuant to this subsection for a person who has made a prima facie showing that the applicant meets all of the requirements for a license and possesses the experience required. The temporary license shall be effective only until the board has had the opportunity to investigate the applicant's qualifications for licensure pursuant to subsection 1 of this section and notify the applicant that the applicant's application for a license has been granted or rejected. In no event shall a temporary license be in effect for more than twelve months after the date of issuance nor shall a temporary license be reissued to the same applicant. No fee shall be charged for a temporary license. The holder of a temporary license which has not expired, been suspended or revoked shall be deemed to be the holder of a license issued pursuant to this section until the temporary license expires, is terminated, suspended or revoked.

5. **Prior to June 30, 2021**, an applicant for an examination who meets the educational requirements of subdivision (4) of subsection 1 of this section or who reasonably expects to meet those requirements within sixty days after the examination shall be eligible for examination if the applicant also meets the requirements of subdivisions [(1),] (2) and (3) of subsection 1 of this section. For an applicant admitted to examination on the reasonable expectation that the applicant will meet the educational requirements within sixty days, no license shall be issued nor credit for the examination or any part thereof given unless the

educational requirement is in fact met within the sixty-day period.

326.289. 1. The board may grant or renew permits to practice as a certified public accounting firm to applicants that demonstrate their qualifications in accordance with this chapter.

(1) The following shall hold a permit issued under this chapter:

(a) Any firm with an office in this state, as defined by the board by rule, offering or performing attest or compilation services; or

(b) Any firm with an office in this state that uses the title “CPA” or “CPA firm”.

(2) Any firm that does not have an office in this state may offer or perform attest or compilation services in this state without a valid permit only if it meets each of the following requirements:

(a) It complies with the qualifications described in subdivision (1) of subsection 4 of this section;

(b) It complies with the requirements of peer review as set forth in this chapter and the board’s promulgated regulations;

(c) It performs such services through an individual with practice privileges under section 326.283; and

(d) It can lawfully do so in the state where said individual with the privilege to practice has his or her principal place of business.

(3) A firm which is not subject to the requirements of subdivisions (1) or (2) of this subsection may perform other nonattest or noncompilation services while using the title “CPA” or “CPA firm” in this state without a permit issued under this section only if it:

(a) Performs such services through an individual with the privilege to practice under section 326.283; and

(b) Can lawfully do so in the state where said individual with privilege to practice has his or her principal place of business.

(4) (a) All firms practicing public accounting in this state shall register with the secretary of state.

(b) Firms which may be exempt from this requirement include:

a. Sole proprietorships;

b. Trusts created pursuant to revocable trust agreements, of which the trustee is a natural person who holds a license or privilege to practice as set forth in section 326.280, 326.283, or 326.286;

c. General partnerships not operating as a limited liability partnership; or

d. Foreign professional corporations which do not meet criteria of chapter 356 due to name or ownership, shall obtain a certificate of authority as a general corporation. Notwithstanding the provisions of chapter 356, the secretary of state may issue a certificate of authority to a foreign professional corporation which does not meet the criteria of chapter 356 due to name or ownership, if the corporation meets the requirements of this section and the rules of the board.

2. Permits shall be initially issued and renewed for periods of not more than three years or for a specific period as prescribed by board rule following issuance or renewal.

3. The board shall determine by rule the form for application and renewal of permits and shall annually

determine the fees for permits and their renewals.

4. An applicant for initial issuance or renewal of a permit to practice under this section shall be required to show that:

(1) A simple majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, principals, shareholders, members or managers, belongs to licensees who are licensed in some state, and the partners, officers, principals, shareholders, members or managers, whose principal place of business is in this state and who perform professional services in this state are licensees under section 326.280 or the corresponding provision of prior law. Although firms may include nonlicensee owners, the firm and its ownership shall comply with rules promulgated by the board;

(2) Any certified public accounting firm may include owners who are not licensees provided that:

(a) The firm designates a licensee of this state, or in the case of a firm which must have a permit under this section designates a licensee of another state who meets the requirements of section 326.283, who is responsible for the proper registration of the firm and identifies that individual to the board;

(b) All nonlicensee owners are active individual participants in the certified public accounting firm or affiliated entities;

(c) All owners are of good moral character; and

(d) The firm complies with other requirements as the board may impose by rule;

(3) Any licensee who is responsible for supervising attest services, or signs or authorizes someone to sign the licensee's report on the financial statements on behalf of the firm, shall meet competency requirements as determined by the board by rule which shall include one year of experience in addition to the experience required under subdivision (6) of subsection 1 of section 326.280 and shall be verified by a licensee. The additional experience required by this subsection shall include experience in attest work supervised by a licensee.

5. An applicant for initial issuance or renewal of a permit to practice shall register each office of the firm within this state with the board and show that all attest and compilation services rendered in this state are under the charge of a licensee.

6. No licensee or firm holding a permit under this chapter shall use a professional or firm name or designation that is misleading as to:

(1) The legal form of the firm;

(2) The persons who are partners, officers, members, managers or shareholders of the firm; or

(3) Any other matter.

The names of one or more former partners, members or shareholders may be included in the name of a firm or its successor unless the firm becomes a sole proprietorship because of the death or withdrawal of all other partners, officers, members or shareholders. A firm may use a fictitious name if the fictitious name is registered with the board and is not otherwise misleading. The name of a firm shall not include the name or initials of an individual who is not a present or a past partner, member or shareholder of the firm or its predecessor. The name of the firm shall not include the name of an individual who is not a licensee.

7. Applicants for initial issuance or renewal of permits shall list in their application all states in which

they have applied for or hold permits as certified public accounting firms and list any past denial, revocation, suspension or any discipline of a permit by any other state. Each holder of or applicant for a permit under this section shall notify the board in writing within thirty days after its occurrence of any change in the identities of partners, principals, officers, shareholders, members or managers whose principal place of business is in this state; any change in the number or location of offices within this state; any change in the identity of the persons in charge of such offices; and any issuance, denial, revocation, suspension or any discipline of a permit by any other state.

8. Firms which fall out of compliance with the provisions of this section due to changes in firm ownership or personnel after receiving or renewing a permit shall take corrective action to bring the firm back into compliance as quickly as possible. The board may grant a reasonable period of time for a firm to take such corrective action. Failure to bring the firm back into compliance within a reasonable period as defined by the board may result in the suspension or revocation of the firm permit.

9. The board shall require by rule, as a condition to the renewal of permits, that firms undergo, no more frequently than once every three years, peer reviews conducted in a manner as the board shall specify. The review shall include a verification that individuals in the firm who are responsible for supervising attest and compilation services or sign or authorize someone to sign the accountant's report on the financial statements on behalf of the firm meet the competency requirements set out in the professional standards for such services, provided that any such rule:

(1) Shall include reasonable provision for compliance by a firm showing that it has within the preceding three years undergone a peer review that is a satisfactory equivalent to peer review generally required under this subsection;

(2) May require, with respect to peer reviews, that peer reviews be subject to oversight by an oversight body established or sanctioned by board rule, which shall periodically report to the board on the effectiveness of the review program under its charge and provide to the board a listing of firms that have participated in a peer review program that is satisfactory to the board; and

(3) Shall require, with respect to peer reviews, that the peer review processes be operated and documents maintained in a manner designed to preserve confidentiality, and that the board or any third party other than the oversight body shall not have access to documents furnished or generated in the course of the peer review of the firm except as provided in subdivision (2) of this subsection.

10. The board may, by rule, charge a fee for oversight of peer reviews, provided that the fee charged shall be substantially equivalent to the cost of oversight.

11. Notwithstanding any other provision in this section, the board may obtain the following information regarding peer review from any approved American Institute for Certified Public Accountants peer review program:

(1) The firm's name and address;

(2) The firm's dates of enrollment in the program;

(3) The date of acceptance and the period covered by the firm's most recently accepted peer review; and

(4) If applicable, whether the firm's enrollment in the program has been dropped or terminated.

12. In connection with proceedings before the board or upon receipt of a complaint involving the licensee performing peer reviews, the board shall not have access to any documents furnished or generated in the course of the performance of the peer reviews except for peer review reports, letters of comment and summary review memoranda. The documents shall be furnished to the board only in a redacted manner that does not specifically identify any firm or licensee being peer reviewed or any of their clients.

[12.] **13.** The peer review processes shall be operated and the documents generated thereby be maintained in a manner designed to preserve their confidentiality. No third party, other than the oversight body, the board, subject to the provisions of subsection [11] **12** of this section, or the organization performing peer review shall have access to documents furnished or generated in the course of the review. All documents shall be privileged and closed records for all purposes and all meetings at which the documents are discussed shall be considered closed meetings under subdivision (1) of section 610.021. The proceedings, records and workpapers of the board and any peer review subjected to the board process shall be privileged and shall not be subject to discovery, subpoena or other means of legal process or introduction into evidence at any civil action, arbitration, administrative proceeding or board proceeding. No member of the board or person who is involved in the peer review process shall be permitted or required to testify in any civil action, arbitration, administrative proceeding or board proceeding as to any matters produced, presented, disclosed or discussed during or in connection with the peer review process or as to any findings, recommendations, evaluations, opinions or other actions of such committees or any of its members; provided, however, that information, documents or records that are publicly available shall not be subject to discovery or use in any civil action, arbitration, administrative proceeding or board proceeding merely because they were presented or considered in connection with the peer review process.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Rowden assumed the Chair.

Senator Eigel offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 27, Section 334.702, Line 19, by striking “[”]; and further amend said page, line 20, by inserting immediately after “sport” as it appears the first time the following: “[”]; and further amend said line, by striking “] **any**”; and further amend said page, lines 21-23 by striking all of said lines; and

Further amend said bill, page 37, section 334.721, line 9, by inserting immediately after “**(6)**” the following: “**Exercise professionals, including personal trainers, group fitness instructors, pilates teachers, exercise physiologists, clinical exercise physiologists, strength and conditioning coaches, or any other exercise professionals with specific qualifications that hold certification from a national accredited program in such professional's area of practice, and who develops and implements physical fitness programs to improve health, fitness, or sports performance for individual clients, patients, or organized groups;**

(7)”; and further amend line 12 by striking “**(7)**” and inserting in lieu thereof the following: “**(8)**”;

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted, which motion failed.

Senator Koenig offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 21, Section 193.265, Line 22, of said page, by inserting after all of said line the following:

“209.334. 1. The committee may refuse to issue or renew any license required by the provisions of sections 209.319 to 209.339 for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 209.319 to 209.339 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to engage in the occupation of interpreting;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of an interpreter, for any offense an essential element of which is fraud, dishonesty or an act of violence,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of sections 209.319 to 209.339 or in obtaining permission to take any examination given or required pursuant to the provisions of sections 209.319 to 209.339;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of interpreting;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 209.319 to 209.339, or of any lawful rule or regulation adopted pursuant to sections 209.319 to 209.339;

(7) Impersonation of any person holding a license or allowing any person to use his or her license or certification;

(8) Discipline of a license or other right to practice interpreting granted by another state, territory, federal agency or country upon grounds for which discipline is authorized in this state;

(9) Discipline of a certification issued by the Missouri commission for the deaf and hard of hearing or any other certifying body upon grounds for which discipline is authorized in this state if the licensee was given notice and an opportunity to be heard before the certification was disciplined;

(10) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(11) Assisting or enabling any person to practice or offer to practice interpreting who is not licensed and currently eligible to practice under the provisions of sections 209.319 to 209.339;

(12) Issuance of a license based upon a material mistake of fact;

(13) Violation of any professional trust or confidence;

(14) Failure to display or present a valid license if so required by sections 209.319 to 209.339 or any rule promulgated pursuant thereto.

3. Any person, organization, association or corporation who reports or provides information to the committee pursuant to the provisions of sections 209.319 to 209.339 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license.

5. In any order of revocation, the committee may provide that the person may not apply for reinstatement of his license for three years after the revocation.

6. Before restoring to good standing a license issued pursuant to sections 209.319 to 209.339 which has been revoked, suspended or inactive for any cause, the committee shall require the applicant to submit to the committee, verification, from the Missouri commission for the deaf that the applicant has a current certification which qualifies that person for licensure.

214.276. 1. The division may refuse to issue or renew any license, required pursuant to sections 214.270 to 214.516 for one or any combination of causes stated in subsection 2 of this section. The division shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The division may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against any holder of any license, required by sections 214.270 to 214.516 or any person who has failed to surrender his or her license, for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 214.270 to 214.516;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated pursuant to sections 214.270 to 214.516, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not

sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license, issued pursuant to sections 214.270 to 214.516 or in obtaining permission to take any examination given or required pursuant to sections 214.270 to 214.516;

(4) Obtaining or attempting to obtain any fee, charge or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession regulated by sections 214.270 to 214.516;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 214.270 to 214.516, or any lawful rule or regulation adopted pursuant to sections 214.270 to 214.516;

(7) Impersonation of any person holding a license or allowing any person to use his or her license;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 214.270 to 214.516 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 214.270 to 214.516 who is not registered and currently eligible to practice pursuant to sections 214.270 to 214.516;

(11) Issuance of a license based upon a material mistake of fact;

(12) Failure to display a valid license;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Willfully and through undue influence selling a burial space, cemetery services or merchandise.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the division may singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the division deems appropriate for a period not to exceed five years, or may suspend, or revoke the license or permit or may impose a penalty allowed by subsection 4 of section 214.410. No new license shall be issued to the owner or operator of a cemetery or to any corporation controlled by such owner for three years after the revocation of the certificate of the owner or of a corporation controlled by the owner.

4. The division may settle disputes arising under subsections 2 and 3 of this section by consent agreement or settlement agreement between the division and the holder of a license. Within such a settlement agreement, the division may singly or in combination impose any discipline or penalties allowed by this section or subsection 4 of section 214.410. Settlement of such disputes shall be entered into pursuant to the procedures set forth in section 621.045.

5. Use of the procedures set out in this section shall not preclude the application of any other remedy

provided by this chapter.

256.477. 1. No person shall employ fraud or deceit in obtaining the certificate of registration. A violation of this subsection shall be a class B misdemeanor.

2. Any person found to have performed geologic work regulated under sections 256.450 to 256.483 in a negligent manner shall be guilty of a class B misdemeanor.

3. Any person who uses the seal of a registered geologist, other than the person to whom the seal was issued, shall be guilty of a class B misdemeanor.

4. The board shall revoke the certification of registration for [a] **any person [convicted of any felony or any crime involving moral turpitude or sentence of imprisonment or probation in lieu thereof; or for any misdemeanor relating to or arising out of the practice of geology affecting public health, safety and welfare] who has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed.**

317.015. 1. Any person wishing to make a complaint against a licensee under sections 317.001 to 317.014 shall file the written complaint with the division setting forth supporting details. If the division determines that the charges warrant a hearing to ascertain whether the licensee shall be disciplined, it shall file a complaint with the administrative hearing commission as provided in chapter 621. Any person holding more than one license issued by the division and disciplined under one license will automatically be disciplined under all licenses.

2. (1) The division may refuse to issue any permit or license pursuant to this chapter for one or any combination of reasons stated in paragraphs (a) through (m) of subdivision (2) of this subsection. The division shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of their rights to file a complaint or an appeal with the administrative hearing commission as provided in chapter 621.

(2) The division may file a complaint with the administrative hearing commission, as provided in chapter 621, against any holder of any permit or license issued pursuant to this chapter, or against any person who has failed to renew or has surrendered their permit or license, for any one or more of the following reasons:

(a) Use of an alcoholic beverage or any controlled substance, as defined in chapter 195, before or during a bout;

(b) The person has been **finally adjudicated and found guilty**, or has entered a plea of guilty or nolo contendere, in a criminal prosecution under [any state or federal law] **the laws of any state, of the United States, or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] **duties and responsibilities** of [any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **the occupation, as set forth in section 324.012, regardless of whether or not a sentence is imposed;**

(c) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to this chapter;

- (d) Providing false information on applications or medical forms;
- (e) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performing of the functions or duties of any profession licensed or regulated by this chapter;
- (f) Violating or enabling any person to violate any provision of this chapter or any rule adopted pursuant to this chapter;
- (g) Impersonating any permit or license holder or allowing any person to use their permit or license;
- (h) Contestants failing to put forth their best effort during a bout;
- (i) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter and issued by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;
- (j) A person adjudged mentally incompetent by a court of competent jurisdiction;
- (k) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;
- (l) Use of foul or abusive language or mannerisms or threats of physical harm by any person associated with any bout or contest licensed pursuant to this chapter; or
- (m) Issuance of a permit or license based upon a mistake of fact.

(3) After the complaint is filed, the proceeding shall be conducted in accordance with the provisions of chapter 621. If the administrative hearing commission finds that a person has violated one or more of the grounds as provided in paragraphs (a) through (m) of subdivision (2) of this subsection, the division may censure or place the person named in the complaint on probation on appropriate terms and conditions for a period not to exceed five years, may suspend the person's license for a period not to exceed three years, or may revoke the person's license.

3. Upon a finding that the grounds provided in subsection 2 of this section for disciplinary action are met, the office may, singly or in combination, censure or place on probation on such terms and conditions as the office deems appropriate for a period not to exceed five years, or may suspend for a period not to exceed three years or revoke the certificate, license, or permit. In any order of revocation, the office may provide that the person shall not apply for a new license for a maximum of three years and one day following the date of the order of revocation. All stay orders shall toll the disciplinary time periods allotted herein. In lieu of or in addition to any remedy specifically provided in subsection 1 of this section, the office may require of a licensee:

- (1) Satisfactory completion of medical testing and/or rehabilitation programs as the office may specify; and/or
- (2) A review conducted as the office may specify and satisfactory completion of medical testing and/or rehabilitation programs as the office may specify.”; and

Further amend said bill, Page 25, Section 324.009, Line 8, by inserting after all of said line the following:

“324.012. 1. This section shall be known and may be cited as the “Fresh Start Act of 2020”.

2. As used in this section, the following terms mean:

(1) “Criminal conviction”, any conviction, finding of guilt, plea of guilty, or plea of nolo contendere;

(2) “Licensing”, any required training, education, or fee to work in a specific occupation, profession, or activity in the state;

(3) “Licensing authority”, an agency, examining board, credentialing board, or other office of the state with the authority to impose occupational fees or licensing requirements on any profession. The term “licensing authority” shall not include the Missouri state board of accountant’s licensure of accountants pursuant to chapter 326, the board of podiatric medicine’s licensure of podiatrists pursuant to chapter 330, the Missouri dental board’s licensure of dentists pursuant to chapter 332, the state board of registration for the healing art’s licensure of physicians and surgeons pursuant to chapter 334, the Missouri state board of nursing’s licensure of nurses pursuant to chapter 335, the board of pharmacy’s licensure of pharmacists pursuant to chapter 338, the Missouri real estate commission’s licensure of real estate brokers, real estate salespersons, or real estate broker-salespersons pursuant to sections 339.010 to 339.205, the Missouri director of finance appointed pursuant to chapter 361, or the peace officer standards and training commission’s licensure of peace officers or other law enforcement personnel pursuant to chapter 590;

(4) “Political subdivision”, a city, town, village, municipality, or county.

3. Notwithstanding any other provision of law, beginning January 1, 2021, no person shall be disqualified by a state licensing authority from pursuing, practicing, or engaging in any occupation for which a license is required solely or in part because of a prior conviction of a crime in this state or another state, unless the criminal conviction directly relates to the duties and responsibilities for the licensed occupation as set forth in this section or is violent or sexual in nature.

4. Beginning August 28, 2020, applicants for examination of licensure who have pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this state, any other state, United States, or any other country, notwithstanding whether sentence is imposed, shall be considered by state licensing authorities to have committed a criminal offense that directly relates to the duties and responsibilities of a licensed profession:

(1) Any murder in the first degree, or dangerous felony as defined under section 556.061 excluding an “intoxication-related traffic offense” or “intoxication-related boating offense” if the person is found to be a “habitual offender” or “habitual boating offender” as such terms are defined in section 577.001;

(2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape, statutory rape in the first degree, statutory rape in the second degree, rape in the second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of

a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material;

(5) The offense of delivery of a controlled substance, as provided in section 579.020, may be a disqualifying criminal offense for the following occupations: real estate appraisers and appraisal management companies, licensed pursuant to sections 339.500 to 339.549; veterinarians, licensed pursuant to sections 340.200 to 340.330; and nursing home administrators, licensed pursuant to chapter 344; and

(6) Any offense an essential element of which is fraud may be a disqualifying criminal offense for the following occupations: private investigators, licensed pursuant to sections 324.1100 to 324.1148; accountants, licensed pursuant to chapter 326; architects, licensed pursuant to sections 327.091 to 327.172; engineers, licensed pursuant to sections 327.181 to 327.271; land surveyors, licensed pursuant to sections 327.272 to 327.371; landscape architects, licensed pursuant to sections 327.600 to 327.635; chiropractors, licensed pursuant to chapter 331; embalmers and funeral directors, licensed pursuant to chapter 333; real estate appraisers and appraisal management companies, licensed pursuant to sections 339.500 to 339.549; and nursing home administrators, licensed pursuant to chapter 344.

5. If an individual is charged with any of the crimes set forth in subsection 4 of this section, and is convicted, pleads guilty to, or is found guilty of a lesser included offense and is sentenced to a period of incarceration, such conviction shall only be considered by state licensing authorities as a criminal offense that directly relates to the duties and responsibilities of a licensed profession for four years, beginning on the date such individual is released from incarceration.

6. (1) Licensing authorities shall only list criminal convictions that are directly related to the duties and responsibilities for the licensed occupation.

(2) The licensing authority shall determine whether an applicant with a criminal conviction listed under subdivision (1) of this subsection will be denied a license based on the following factors:

(a) The nature and seriousness of the crime for which the individual was convicted;

(b) The passage of time since the commission of the crime, including consideration of the factors listed under subdivision (3) of this subsection;

(c) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation; and

(d) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation.

(3) If an individual has a valid criminal conviction for a criminal offense that could disqualify the individual from receiving a license, the disqualification shall not apply to an individual who has been

exonerated for a crime for which he or she has previously been convicted of or incarcerated.

7. An individual with a criminal record may petition a licensing authority at any time for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license. This petition shall include details on the individual's criminal record. The licensing authority shall inform the individual of his or her standing within thirty days after the licensing authority has met, but in no event more than four months after receiving the petition from the applicant. The decision shall be binding, unless the individual has subsequent criminal convictions or failed to disclose information in his or her petition. The licensing authority may charge a fee by rule to recoup its costs as set by rule making authority not to exceed twenty-five dollars for each petition.

8. (1) If a licensing authority denies an individual a license solely or in part because of the individual's prior conviction of a crime, the licensing authority shall notify the individual in writing of the following:

(a) The grounds and reasons for the denial or disqualification;

(b) That the individual has the right to a hearing as provided by chapter 621 to challenge the licensing authority's decision;

(c) The earliest date the person may reapply for a license; and

(d) That evidence of rehabilitation may be considered upon reapplication.

(2) Any written determination by the licensing authority that an applicant's criminal conviction is a specifically listed disqualifying conviction and is directly related to the duties and responsibilities for the licensed occupation shall be documented with written findings for each of the grounds or reasons under paragraph (a) of subdivision (1) of this subsection by clear and convincing evidence sufficient for a reviewing court.

(3) In any administrative hearing or civil litigation authorized under this subsection, the licensing authority shall carry the burden of proof on the question of whether the applicant's criminal conviction directly relates to the occupation for which the license is sought.

9. The provisions of this section shall apply to any profession for which an occupational license is issued in this state, including any new occupational license created by a state licensing authority after August 28, 2020. Notwithstanding any other provision of law, political subdivisions shall be prohibited from creating any new occupational licenses after August 28, 2020. The provisions of this section shall not apply to business licenses, where the terms "occupational licenses" and "business licenses" are used interchangeably in a city or county charter definition.";

Further amend said bill, Page 27, Section 324.035, Line 16, by inserting after all of said line the following:

"324.047. 1. The purpose of this section is to promote general welfare by establishing guidelines for the regulation of occupations and professions not regulated prior to January 1, 2019, and guidelines for combining any additional occupations or professions under a single license regulated by the state prior to January 1, 2019.

2. For purposes of this section, the following terms mean:

(1) “Applicant group”, any occupational or professional group or organization, any individual, or any other interested party that seeks to be licensed or further regulated or supports any bill that proposes to combine any additional occupations or professions under a single license regulated by the state prior to January 1, 2019;

(2) “Certification”, a program in which the government grants nontransferable recognition to an individual who meets personal qualifications established by a regulatory entity. Upon approval, the individual may use “certified” as a designated title. This term shall not be synonymous with an occupational license;

(3) “Department”, the department of commerce and insurance;

(4) “Director”, the director of the division of professional registration;

(5) “Division”, the division of professional registration;

(6) “General welfare”, the concern of the government for the health, peace, morality, and safety of its residents;

(7) “Lawful occupation”, a course of conduct, pursuit, or profession that includes the sale of goods or services that are not themselves illegal to sell irrespective of whether the individual selling them is subject to an occupational regulation;

(8) “Least restrictive type of occupational regulation”, the regulation that is least restrictive, in which the following list of regulations in order from least to most restrictive is used to make such determination:

(a) Bonding or insurance;

(b) Registration;

(c) Certification;

(d) Occupational license;

(9) “Occupational license”, a nontransferable authorization in law for an individual to perform a lawful occupation for compensation based on meeting personal qualifications established by a regulatory entity and that, if not possessed, prohibits the individual from performing the occupation for compensation;

(10) “Occupational regulation”, a statute, ordinance, rule, practice, policy, or other law requiring an individual to possess certain personal qualifications to work in a lawful occupation;

(11) “Personal qualifications”, criteria related to an individual’s personal background, including completion of an approved educational program, satisfactory performance on an examination, work experience, criminal history, and completion of continuing education;

(12) “Practitioner”, an individual who has achieved knowledge and skill by practice and is actively engaged in a specified occupation or profession;

(13) “Registration”, a requirement established by the general assembly in which an individual:

(a) Submits notification to a state agency; and

(b) May use “registered” as a designated title.

Notification may include the individual’s name and address, the individual’s agent for service of process,

the location of the activity to be performed, and a description of the service the individual provides. Registration may include a requirement to post a bond but does not include education or experience requirements. If the requirement of registration is not met, the individual is prohibited from performing the occupation for compensation or using “registered” as a designated title. The term “registration” shall not be synonymous with an occupational license;

(14) “Regulatory entity”, any board, commission, agency, division, or other unit or subunit of state government that regulates one or more professions, occupations, industries, businesses, or other endeavors in this state;

(15) “State agency”, every state office, department, board, commission, regulatory entity, and agency of the state. The term “state agency” includes, if provided by law, programs and activities involving less than the full responsibility of a state agency;

(16) “Substantial burden”, a requirement in an occupational regulation that imposes significant difficulty or cost on an individual seeking to enter into or continue in a lawful occupation and is more than an incidental burden.

3. All individuals may engage in the occupation of their choice, free from unreasonable government regulation. The state shall not impose a substantial burden on an individual’s pursuit of his or her occupation or profession unless there is a reasonable interest for the state to protect the general welfare. If such an interest exists, the regulation adopted by the state shall be the least restrictive type of occupational regulation consistent with the public interest to be protected.

4. All bills introduced in the general assembly to regulate, pursuant to subsection 6 of this section, an occupation or profession shall be reviewed according to the following criteria. An occupation or profession shall be regulated by the state if:

(1) Unregulated practice could cause harm and endanger the general welfare, and the potential for further harm and endangerment is recognizable;

(2) The public can reasonably be expected to benefit from an assurance of personal qualifications; and

(3) The general welfare cannot be sufficiently protected by other means.

5. After evaluating the criteria in subdivision (3) of this subsection and considering governmental, economic, and societal costs and benefits, if the general assembly finds that the state has a reasonable interest in regulating, pursuant to subsection 6 of this section, an occupation or profession not previously regulated by law, the most efficient form of regulation shall be implemented, consistent with this section and with the need to protect the general welfare, as follows:

(1) If the threat to the general welfare resulting from the practitioner’s services is easily predictable, the regulation shall implement a system of insurance, bonding, or registration;

(2) If the consumer has challenges accessing credentialing information or possesses significantly less information on how to report abuses such that the practitioner puts the consumer in a disadvantageous position relative to the practitioner to judge the quality of the practitioner’s services, the regulation shall implement a system of certification; and

(3) If other regulatory structures, such as bonding, insurance, registration, and certification, insufficiently protect the general welfare from recognizable harm, the regulation shall implement a system

of licensing.

6. After January 1, 2019, any relevant regulatory entity shall report, and the department shall make available to the general assembly, upon the filing of a bill that proposes additional regulation of a profession or occupation currently regulated by the regulatory entity, the following factors to the department:

(1) A description of the professional or occupational group proposed for expansion of regulation, including the number of individuals or business entities that would be subject to regulation to the extent that such information is available; the names and addresses of associations, organizations, and other groups representing the practitioners; and an estimate of the number of practitioners in each group;

(2) Whether practice of the profession or occupation proposed for expansion of regulation requires such a specialized skill that the public is not qualified to select a competent practitioner without assurances that minimum qualifications have been met;

(3) The nature and extent of potential harm to the public if the profession or occupation is not regulated as described in the bill, the extent to which there is a threat to the general welfare, and production of evidence of potential harm, including a description of any complaints filed with state law enforcement authorities, courts, departmental agencies, professional or occupational boards, and professional and occupational associations that have been lodged against practitioners of the profession or occupation in this state within the past five years. Notwithstanding the provisions of this section or any other section, the relevant regulatory entity shall provide, and the department shall make available to the general assembly, the information relating to such complaints even if the information is considered a closed record or otherwise confidential; except that, the regulatory entity and the department shall redact names and other personally identifiable information from the information released;

(4) A description of the voluntary efforts made by practitioners of the profession or occupation to protect the public through self-regulation, private certifications, membership in professional or occupational associations, or academic credentials and a statement of why these efforts are inadequate to protect the public;

(5) The extent to which expansion of regulation of the profession or occupation will increase the cost of goods or services provided by practitioners and the overall cost-effectiveness and economic impact of the proposed regulation, including the direct cost to the government and the indirect costs to consumers;

(6) The extent to which expansion of regulation of the profession or occupation would increase or decrease the availability of services to the public;

(7) The extent to which existing legal remedies are inadequate to prevent or redress the kinds of harm potentially resulting from the lack of the requirements outlined in the bill;

(8) Why bonding and insurance, registration, certification, occupational license to practice, or another type of regulation is being proposed, why that regulatory alternative was chosen, and whether the proposed method of regulation is appropriate;

(9) A list of other states that regulate the profession or occupation, the type of regulation, copies of other states' laws, and available evidence from those states of the effect of regulation on the profession or occupation in terms of a before-and-after analysis;

(10) The details of any previous efforts in this state to implement regulation of the profession or occupation;

(11) Whether the proposed requirements for regulation exceed the national industry standards of minimal competence, if such standards exist, and what those standards are if they exist; and

(12) The method proposed to finance the proposed regulation and financial data pertaining to whether the proposed regulation can be reasonably financed by current or proposed licensees through dedicated revenue mechanisms.

7. If no existing regulatory entity regulates the occupation or profession to be regulated in the bill, the department shall report and make available to the general assembly, upon the filing of a bill after January 1, 2019, that proposes new regulation of a profession or occupation, the following factors:

(1) A description of the professional or occupational group proposed for regulation, including the number of individuals or business entities that would be subject to regulation to the extent that such information is available; the names and addresses of associations, organizations, and other groups representing the practitioners; and an estimate of the number of practitioners in each group;

(2) The nature and extent of potential harm to the public if the profession or occupation is not regulated, the extent to which there is a threat to the general welfare, and production of evidence of potential harm, including a description of any complaints filed with state law enforcement authorities, courts, departmental agencies, professional or occupational boards, and professional and occupational associations that have been lodged against practitioners of the profession or occupation in this state within the past five years. Notwithstanding the provisions of this section or any other section, the department shall release the information relating to such complaints even if the information is considered a closed record or otherwise confidential; except that, the department shall redact names and other personally identifiable information from the information released;

(3) A list of other states that regulate the profession or occupation, the type of regulation, copies of other states' laws, and available evidence from those states of the effect of regulation on the profession or occupation in terms of a before-and-after analysis;

(4) The details of any previous efforts in this state to implement regulation of the profession or occupation; and

(5) Whether the proposed requirements for regulation exceed the national industry standards of minimal competence, if such standards exist, and what those standards are if they exist.

8. After January 1, 2019, applicant groups may report to the department, and the department shall make available to the general assembly, any of the information required in subsection 6 or 7 of this section and whether the profession or occupation plans to apply for mandated benefits.

9. Nothing in this section shall be construed to change any requirement for an individual to hold current private certification as a condition of licensure or renewal of licensure. This section shall not require a private certification organization to grant or deny private certification to any individual.

324.086. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to sections 324.050 to 324.089 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided

by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 324.050 to 324.089 or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of an occupational therapist or occupational therapy assistant;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated by sections 324.050 to 324.089, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 324.050 to 324.089 or in obtaining permission to take any examination given or required pursuant to sections 324.050 to 324.089;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions and duties of any profession licensed or regulated by sections 324.050 to 324.089;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 324.050 to 324.089 or any lawful rule or regulation adopted pursuant to sections 324.050 to 324.089;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 324.050 to 324.089 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 324.050 to 324.089 who is not registered and currently eligible to practice pursuant to sections 324.050 to 324.089;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Violation of any professional trust or confidence;

(13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(14) Unethical conduct as defined in the ethical standards for occupational therapists and occupational therapy assistants adopted by the board and filed with the secretary of state;

(15) Violation of the drug laws or rules and regulations of this state, any other state or federal government.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation with such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or may revoke the license, certificate or permit.

4. An individual whose license has been revoked shall wait at least one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the board after compliance with all requirements of sections 324.050 to 324.089 relative to the licensing of the applicant for the first time.

324.217. 1. The committee may refuse to issue any license or renew any license required by the provisions of sections 324.200 to 324.225 for one or any combination of reasons stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against the holder of any license required by sections 324.200 to 324.225 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

(1) Use of fraud, deception, misrepresentation or bribery in securing a license issued pursuant to the provisions of sections 324.200 to 324.225 or in obtaining permission to take the examination required pursuant to sections 324.200 to 324.225;

(2) Impersonation of any person holding a license or allowing any person to use his or her license or diploma from any school;

(3) Disciplinary action against the holder of a license or other right to practice medical nutrition therapy by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(4) Issuance of a license based upon a material mistake of fact;

(5) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state [or], **of the United States, or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of the professional who is regulated pursuant to sections 324.200 to 324.225, for any offense an essential element of which is fraud, dishonesty or act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012**, regardless of whether or not sentence is imposed;

(6) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession that is regulated by sections 324.200 to 324.225;

(7) Violation of, or assisting or enabling any person to violate, any provision of sections 324.200 to 324.225, or any lawful rule or regulation adopted pursuant to such sections;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Use of any advertisement or solicitation that is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(10) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(11) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession that is licensed or regulated by sections 324.200 to 324.225;

(12) Violation of the drug laws or rules and regulations of this state, any other state or the federal government; or

(13) Violation of any professional trust or confidence.

3. Any person, organization, association or corporation who reports or provides information to the committee pursuant to the provisions of sections 324.200 to 324.225 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license of the person. An individual whose license has been revoked shall wait one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the committee after compliance with all requirements of sections 324.200 to 324.225 relative to the licensing of an applicant for the first time.

5. The committee shall maintain an information file containing each complaint filed with the committee relating to a holder of a license.

6. The committee shall recommend for prosecution violations of sections 324.200 to 324.225 to an appropriate prosecuting or circuit attorney.

324.262. 1. The board may refuse to issue, renew or reinstate any license required by sections 324.240 to 324.275 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license issued pursuant to sections 324.240 to 324.275 or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

(1) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state [or], of the United States, **or of any**

country, for any offense [reasonably] directly related to the [qualifications, functions or] duties [of the profession regulated pursuant to sections 324.240 to 324.275, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(2) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to sections 324.240 to 324.275 or in obtaining permission to take any examination given or required pursuant to sections 324.240 to 324.275;

(3) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(4) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession regulated by sections 324.240 to 324.275;

(5) Violation of, or assisting or enabling any person to violate, any provision of sections 324.240 to 324.275, or of any lawful rule or regulation adopted pursuant to sections 324.240 to 324.275, including providing massage therapy under subdivision (7) of section 324.240 at a massage business as defined in subdivision (5) of section 324.240 that is not licensed under this chapter;

(6) Impersonation of any person holding a license or allowing any other person to use his or her certificate or diploma from any school;

(7) Disciplinary action against the holder of a license or other right to practice the profession regulated by sections 324.240 to 324.275 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Issuance of a license based upon a material mistake of fact;

(10) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

3. Any person, organization, association or corporation who reports or provides information to the division pursuant to the provisions of sections 324.240 to 324.275 and who does so in good faith and without negligence shall not be subject to an action for civil damages as a result thereof.

4. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that one or more of the grounds for disciplinary action provided in subsection 2 of this section are met, the board may, singly or in combination, censure or place the person named in the complaint on probation or suspension or revoke the license of the person on such terms and conditions as the division deems appropriate.

324.265. 1. A person desiring a license to practice massage therapy shall be at least eighteen years of age, [shall be of good moral character,] shall pay the appropriate required application fee, and shall submit satisfactory evidence to the board of meeting at least one of the following requirements:

(1) Has passed a statistically valid examination on therapeutic massage and body work which is approved by the board, prior to August 28, 1999, and applies for such license by December 31, 2000; or

(2) Has completed a program of massage therapy studies, as defined by the board, consisting of at least

five hundred hours of supervised instruction and subsequently passing an examination approved by the board. The examination may consist of school examinations. The program and course of instruction shall be approved by the board.

(a) The five hundred hours of supervised instruction shall consist of three hundred hours dedicated to massage theory and practice techniques, one hundred hours dedicated to the study of anatomy and physiology, fifty hours dedicated to business practice, professional ethics, hygiene and massage law in the state of Missouri, and fifty hours dedicated to ancillary therapies, including cardiopulmonary resuscitation (CPR) and first aid.

(b) A person completing a massage therapy program comprised of less than five hundred hours of supervised instruction may submit an application for licensure and the board shall establish requirements for the applicant to complete the requirements of paragraph (a) of subdivision (2) of this subsection.

2. A person who has practiced less than three years or has less than one hundred hours of training may request a waiver of the requirements of subsection 1 of this section and apply for a temporary two-year license which shall not be renewable. By the end of such two-year period, such person shall complete at least one hundred additional hours of formal training, including at least twenty-five hours in anatomy and physiology, in a school approved by the board. Such person shall have until December 31, 2000, to apply for a temporary license pursuant to this subsection.

3. Each license issued pursuant to the provisions of this section shall expire on its renewal date. The board shall renew any license upon:

(1) Application for renewal;

(2) Proof, as provided by rule, that the therapist has completed twelve hours of continuing education; and

(3) Payment of the appropriate renewal fee.

Failure to obtain the required continuing education hours, submit satisfactory evidence, or maintain required documentation is a violation of this subsection. As provided by rule, the board may waive or extend the time requirements for completion of continuing education for reasons related to health, military service, foreign residency, or other good cause. All requests for waivers or extensions of time shall be made in writing and submitted to the board before the renewal date.

4. An applicant who possesses the qualifications specified in subsection 2 of this section to take the examination approved by the board may be granted a provisional license to engage in the practice of massage therapy. An applicant for a provisional license shall submit proof that the applicant has applied for the examination approved by the board. A provisional license shall be valid for one year from the date of issuance and shall be deemed void upon its expiration date. A provisional licensee is prohibited from practicing massage therapy after expiration of the provisional license.

5. As determined by the board, students making substantial progress toward completion of their training in an approved curriculum shall be granted a student license for the purpose of practicing massage therapy on the public while under the supervision of a massage therapy instructor.

6. A student license may be renewed until the student completes such student's training. Upon request, the board may extend a provisional license for good cause at the discretion of the board. An application for the extension of a provisional license shall be submitted to the board prior to the expiration of the

provisional license.

7. The following practitioners are exempt from the provisions of this section upon filing written proof with the board that they meet one or more of the following:

(1) Persons who act under a Missouri state license, registration, or certification and perform soft tissue manipulation within their scope of practice;

(2) Persons who restrict their manipulation of the soft tissues of the human body to the hands, feet or ears;

(3) Persons who use touch and words to deepen awareness of existing patterns of movement in the human body as well as to suggest new possibilities of movement;

(4) Persons who manipulate the human body above the neck, below the elbow, and below the knee and do not disrobe the client in performing such manipulation.

8. Any nonresident person licensed, registered, or certified by another state or territory of the United States, the District of Columbia, or foreign territory or recognized certification system determined as acceptable by the board shall be exempt from licensure as defined in this chapter, if such persons are incidentally called into the state to teach a course related to massage or body work therapy or to provide massage therapy services as part of an emergency response team working in conjunction with disaster relief officials.

9. Any nonresident person holding a current license, registration, or certification in massage therapy from another state or recognized national certification system determined as acceptable by the board shall be exempt from licensure as defined in this chapter when temporarily present in this state for the purpose of providing massage therapy services at special events such as conventions, sporting events, educational field trips, conferences, and traveling shows or exhibitions.

324.436. 1. The division may refuse to issue any certificate required pursuant to sections 324.400 to 324.439, or renew or reinstate any such certificate, for any one or any combination of the reasons stated in subsection 2 of this section. The division shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the person's right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The division may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of a certificate of registration required by sections 324.400 to 324.439 or any person who has failed to renew or has surrendered the person's certificate of registration for any one or combination of the following reasons:

(1) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of [this state or] any [other] state or of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of the profession regulated by sections 324.400 to 324.439; for any offense for which an essential element is fraud, dishonesty or an act of violence; or for a felony,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(2) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration issued pursuant to sections 324.400 to 324.439 or in obtaining permission to take any examination given or required pursuant to sections 324.400 to 324.439;

(3) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(4) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession regulated by sections 324.400 to 324.439;

(5) Violation of, or assisting or enabling any person to violate, any provision of sections 324.400 to 324.439, or of any lawful rule or regulation adopted pursuant to such sections;

(6) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use the person's certificate or diploma from any school;

(7) Disciplinary action against the holder of a certificate of registration or other right to perform the profession regulated by sections 324.400 to 324.439 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Issuance of a certificate of registration based upon a material mistake of fact;

(10) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed, as it relates to the interior design profession.

3. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 536 and chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the division shall censure or place the person named in the complaint on probation for a period not to exceed five years or may suspend the person's certificate for a period not to exceed three years or may revoke the person's certificate of registration.

324.496. 1. The board, with recommendation by the committee, may refuse to issue, renew or reinstate any license required by sections 324.475 to 324.499 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board, with recommendation by the committee, may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license issued pursuant to sections 324.475 to 324.499 or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

(1) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of the profession regulated pursuant to sections 324.475 to 324.499, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(2) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to sections 324.475 to 324.499 or in obtaining permission to take any examination given or required pursuant

to sections 324.475 to 324.499;

(3) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(4) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of the profession regulated by sections 324.475 to 324.499;

(5) Violation of, or assisting or enabling any person to violate, any provision of sections 324.475 to 324.499, or of any lawful rule or regulation adopted pursuant to such sections;

(6) Impersonation of any person holding a license or allowing any person to use his or her certificate or diploma from any school or certification entity;

(7) Disciplinary action against the holder of a license or other right to practice the profession regulated by sections 324.475 to 324.499 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Issuance of a license based upon a material mistake of fact;

(10) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(11) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 324.475 to 324.499.

3. Any person, organization, association or corporation who reports or provides information to the division, board or committee pursuant to the provisions of sections 324.475 to 324.499 and who does so in good faith and without negligence shall not be subject to an action for civil damages as a result thereof.

4. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, upon recommendation of the committee, singly or in combination, censure or place the person named in the complaint on probation, suspension or revoke the license of the person on such terms and conditions as the division deems appropriate.

324.523. 1. The division may refuse to issue or cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required under sections 324.520 to 324.526, or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit, or license for any one or any combination of the following causes:

(1) Use or illegal possession of any controlled substance, as defined in chapter 195, or use of any alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession that is licensed or regulated under sections 324.520 to 324.526;

(2) Final adjudication and finding of guilt, or the [entrance of a] plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of any profession that is

licensed or regulated under sections 324.520 to 324.526, and the regulations promulgated thereunder, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit or license required under sections 324.520 to 324.526;

(4) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of any profession that is licensed or regulated under sections 324.520 to 324.526;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 324.520 to 324.526, or any lawful rule or regulation adopted under sections 324.520 to 324.526;

(7) Impersonation of any person holding a certificate of registration or authority, permit, or license, or allowing any person to use his or her certificate of registration or authority, license, permit, or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 324.520 to 324.526 granted by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(9) Final adjudication by a court of competent jurisdiction that a person is insane or incompetent;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 324.520 to 324.526 who is licensed and is currently ineligible to practice under sections 324.520 to 324.526;

(11) Causing the division to issue a certificate of registration or authority, permit, or license based upon a material mistake of fact;

(12) Failure to display a valid license;

(13) Violation of any advertisement or solicitation that is false, misleading, or deceptive to the general public, or persons to whom the advertisement or solicitation is primarily directed;

(14) Failure or refusal to properly guard against contagious, infectious, or communicable diseases and the spread thereof.

2. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that grounds, provided in subsection 1 of this section, for disciplinary action are met, the division may, singly, or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the division deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

3. The division, acting upon its own knowledge or written or verified complaint filed by any person, may discipline a person as provided in subsections 1 or 2 of this section or the division may bring an action to enjoin any person, establishment, firm, or corporation from engaging in an occupation regulated by the

provisions of sections 324.520 to 324.526, if such person, firm, or corporation without being licensed to do so by the division engages in or practices an occupation licensed under sections 324.520 to 324.526. The action shall be brought in the county in which such person resides, or, in the case of an establishment, firm, or corporation, where the establishment, firm, or corporation maintains its principal office; and unless it appears that such person, establishment, firm, or corporation so engaging or practicing such occupation is licensed, the injunction shall be issued, and such person, firm, or corporation shall be perpetually enjoined from engaging in such activities throughout the state.

324.940. 1. The division may refuse to issue or renew or may suspend any license required under sections 324.900 to 324.945 for one or any combination of causes stated in subsection 4 of this section. The division shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The division shall publish via electronic media and update on a weekly basis a list of valid statewide license holders, a list of current enforcement actions against license holders, and the procedures for filing grievances against licensees.

3. The permitting authority of each political subdivision may suspend a contractor's work in that political subdivision for a period of up to thirty days while a complaint is being forwarded by the permitting authority to the division for adjudication.

4. The division may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 324.900 to 324.945 or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

(1) The final adjudication and finding of guilty, or the entering of a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of any profession licensed or regulated by sections 324.900 to 324.945, for any offense an essential element of which is fraud, dishonesty, or an act of violence,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(2) Use of fraud, deception, misrepresentation, or bribery in securing any license issued under sections 324.900 to 324.945 or in obtaining permission to take any examination given or required under sections 324.900 to 324.945;

(3) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;

(4) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions and duties of any profession licensed or regulated by sections 324.900 to 324.945;

(5) Violation of, or assisting or enabling any person to violate, any provision of sections 324.900 to 324.945 or any lawful rule adopted under sections 324.900 to 324.945;

(6) Impersonation of any person holding a license or allowing any person to use his or her license;

(7) Final adjudication of a person as insane or incompetent by a court of competent jurisdiction;

(8) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 324.900 to 324.945 who is not registered and currently eligible to practice under sections 324.900 to 324.945;

(9) Issuance of a certificate of registration or authority, permit, or license based upon a material mistake of fact.

5. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 4 of this section for disciplinary action are met, the division may, singly or in combination, censure or place the person named in the complaint on probation with such terms and conditions as the division deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

6. An individual whose license has been revoked shall wait at least one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the division after compliance with all requirements of sections 324.900 to 324.945 relative to the previous licensing of the applicant.

324.1112. 1. The board may deny a request for a license if the applicant:

(1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the provisions of sections 324.1100 to 324.1148;

(2) Has been convicted of or entered a plea of guilty or nolo contendere [to a felony offense, including the receiving of a suspended imposition of sentence following a plea or finding of guilty to a felony offense;

(3) Has been convicted of or entered a plea of guilty or nolo contendere to a misdemeanor offense involving moral turpitude, including receiving a suspended imposition of sentence following a plea of guilty to a misdemeanor offense] **in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not a sentence has been imposed;**

[(4)] **(3)** Has been refused a license under sections 324.1100 to 324.1148 or had a license revoked or denied in this state or any other state;

[(5)] **(4)** Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;

[(6)] **(5)** Has been dependent on or abused alcohol or drugs; or

[(7)] **(6)** Has used, possessed, or trafficked in any illegal substance;

[(8)] **(7)** While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after August 28, 2007; or

[(9)] **(8)** Knowingly made any false statement in the application to the board.

2. The board shall consider any evidence of the applicant's rehabilitation when considering a request for licensure.

324.1118. A private investigator agency or private fire investigator agency shall not hire an individual, who is not licensed as a private investigator or private fire investigator, as an employee if the individual:

(1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or

revocation of a license under the provisions of sections 324.1100 to 324.1148;

(2) Within two years prior to the application date:

(a) Has been convicted of or entered a plea of guilty or nolo contendere [to a felony offense, including the receiving of a suspended imposition of sentence following a plea or finding of guilty to a felony offense;

(b) Has been convicted of or entered a plea of guilty or nolo contendere to a misdemeanor offense involving moral turpitude, including receiving a suspended imposition of sentence following a plea of guilty to a misdemeanor offense] **in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not a sentence has been imposed;**

[(c)] (b) Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;

[(d)] (c) Has been dependent on or abused alcohol or drugs; or

[(e)] (d) Has used, possessed, or trafficked in any illegal substance;

(3) Has been refused a license under the provisions of sections 324.1100 to 324.1148 or had a license revoked, denied, or refused in this state or in any other state;

(4) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after August 28, 2007; or

(5) Knowingly made any false statement in the application.

327.131. Any person may apply to the board for licensure as an architect who is over the age of twenty-one, [is of good moral character,] has acquired an accredited degree from an accredited degree program from a school of architecture, holds a certified Intern Development Program (IDP) record with the National Council of Architectural Registration Boards, and has taken and passed all divisions of the Architect Registration Examination.

327.221. Any person may apply to the board for licensure as a professional engineer [who is of good moral character, and] who is a graduate of and holds a degree in engineering from an accredited school of engineering, or who possesses an education which includes at the minimum a baccalaureate degree in engineering, and which in the opinion of the board, equals or exceeds the education received by a graduate of an accredited school, and has acquired at least four years of satisfactory engineering experience, after such person has graduated and has received a degree or education as provided in this section; provided that the board shall by rule provide what shall constitute satisfactory engineering experience based upon recognized education and training equivalents, but in any event such rule shall provide that no more than one year of satisfactory postgraduate work in engineering subjects and that each year of satisfactory teaching of engineering subjects accomplished after a person has graduated from and has received a degree from an accredited school of engineering or after receiving an education as provided in this section shall count as equivalent years of satisfactory engineering experience.

327.312. 1. Any person may apply to the board for enrollment as a land surveyor-in-training [who is of good moral character,] who is a high school graduate, or who holds a Missouri certificate of high school equivalence (GED), and either:

(1) Has graduated and received a baccalaureate degree in an approved curriculum as defined by board

regulation which shall include at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in the legal aspects of boundary surveying; or

(2) Has passed at least sixty hours of college credit which shall include credit for at least twenty semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of boundary surveying and present evidence satisfactory to the board that in addition thereto such person has at least one year of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor; or

(3) Has passed at least twelve semester hours of approved surveying course work as defined by board regulation of which at least two semester hours shall be in legal aspects of land surveying and in addition thereto has at least two years of combined professional office and field experience in land surveying projects under the immediate personal supervision of a professional land surveyor. Pursuant to this provision, not more than one year of satisfactory postsecondary education work shall count as equivalent years of satisfactory land surveying work as aforementioned.

2. The board shall issue a certificate of completion to each applicant who satisfies the requirements of the aforementioned land surveyor-in-training program and passes such examination or examinations as shall be required by the board.

327.381. The board may license, in its discretion, any architect, professional engineer, professional land surveyor, or professional landscape architect licensed in another state or territory of the United States, province of Canada, or in another country, when such applicant has qualifications which are at least equivalent to the requirements for licensure as an architect, professional engineer, professional land surveyor, or professional landscape architect in this state, and provided further that the board may establish by rule the conditions under which it shall require any such applicant to take any examination it considers necessary, [and provided further that the board is satisfied by proof adduced by such applicant that the applicant is of good moral character,] and provided further that any such application is accompanied by the required fee.

327.441. 1. The board may refuse to issue any license or certificate of authority required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license or certificate of authority required by this chapter or any person who has failed to renew or has surrendered such person's license or certificate of authority, for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any

profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a license or certificate of authority, or allowing any person to use his or her license or certificate of authority, or diploma from any school;

(8) Disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice pursuant to this chapter;

(11) Issuance of a professional license or a certificate of authority based upon a material mistake of fact;

(12) Failure to display a valid license or certificate of authority if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or order a civil penalty under section 327.077, or revoke the license or certificate of authority of the person named in the complaint.

327.612. Any person who [is of good moral character,] has attained the age of twenty-one years, and has a degree in landscape architecture from an accredited school of landscape architecture and has acquired at least three years satisfactory landscape architectural experience after acquiring such a degree may apply to the board for licensure as a professional landscape architect.

328.075. 1. Any person desiring to practice as an apprentice for barbering in this state shall apply to the

board, shall be registered as an apprentice with the board, and shall pay the appropriate fees prior to beginning their apprenticeship. Barber apprentices [shall be of good moral character and] shall be at least seventeen years of age.

2. Any person desiring to act as an apprentice supervisor for barbering in this state shall first possess a license to practice the occupation of barbering, apply to the board, pay the appropriate fees, complete an eight-hour apprentice supervision instruction course certified by the board, and be issued a license as a barber apprentice supervisor prior to supervising barber apprentices.

3. The board may promulgate rules establishing the criteria for the supervision and training of barber apprentices.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

328.150. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any

lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

329.140. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or illegal possession of any controlled substance, as defined in chapter 195; use of an alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any**

country, for any offense [reasonably] directly related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. The board, acting upon its own knowledge or written or verified complaint filed by any person, may discipline a person as provided in subsections 1 to 3 of this section or the board may bring an action to

enjoin any person, firm or corporation from engaging in an occupation regulated by the provisions of this chapter, if such person, firm or corporation without being licensed to do so by the board, engages in or practices an occupation licensed pursuant to this chapter. The action shall be brought in the county in which such person resides, or, in the case of a firm or corporation, where the firm or corporation maintains its principal office; and, unless it appears that such person, firm or corporation so engaging or practicing such occupation is licensed, the injunction shall be issued, and such person, firm or corporation shall be perpetually enjoined from engaging in such activities throughout the state.

331.030. 1. No person shall engage in the practice of chiropractic without having first secured a chiropractic license as provided in this chapter.

2. Any person desiring to procure a license authorizing the person to practice chiropractic in this state shall make application on the form prescribed by the board. The application shall contain a statement that it is made under oath or affirmation and that representations contained thereon are true and correct to the best knowledge and belief of the person signing the application, subject to the penalties of making a false affidavit or declaration, and shall give the applicant's name, address, age, sex, name of chiropractic schools or colleges which the person attended or of which the person is a graduate, and such other reasonable information as the board may require. The applicant shall give evidence satisfactory to the board of the successful completion of the educational requirements of this chapter, [that the applicant is of good moral character,] and that the chiropractic school or college of which the applicant is a graduate is teaching chiropractic in accordance with the requirements of this chapter. The board may make a final determination as to whether or not the school from which the applicant graduated is so teaching.

3. Before an applicant shall be eligible for licensure, the applicant shall furnish evidence satisfactory to the board that the applicant has received the minimum number of semester credit hours, as required by the Council on Chiropractic Education, or its successor, prior to beginning the doctoral course of study in chiropractic. The minimum number of semester credit hours applicable at the time of enrollment in a doctoral course of study must be in those subjects, hours and course content as may be provided for by the Council on Chiropractic Education or, in the absence of the Council on Chiropractic Education or its provision for such subjects, such hours and course content as adopted by rule of the board; however in no event shall fewer than ninety semester credit hours be accepted as the minimum number of hours required prior to beginning the doctoral course of study in chiropractic. The examination applicant shall also provide evidence satisfactory to the board of having graduated from a chiropractic college having status with the Commission on Accreditation of the Council on Chiropractic Education or its successor. Any senior student in a chiropractic college having status with the Commission on Accreditation on the Council on Chiropractic Education or its successor may take a practical examination administered or approved by the board under such requirements and conditions as are adopted by the board by rule, but no license shall be issued until all of the requirements for licensure have been met.

4. Each applicant shall pay upon application an application or examination fee. All moneys collected pursuant to the provisions of this chapter shall be nonrefundable and shall be collected by the director of the division of professional registration who shall transmit it to the department of revenue for deposit in the state treasury to the credit of the chiropractic board fund. Any person failing to pass a practical examination administered or approved by the board may be reexamined upon fulfilling such requirements, including the payment of a reexamination fee, as the board may by rule prescribe.

5. Every applicant for licensure by examination shall have taken and successfully passed all required

and optional parts of the written examination given by the National Board of Chiropractic Examiners, including the written clinical competency examination, under such conditions as established by rule of the board, and all applicants for licensure by examination shall successfully pass a practical examination administered or approved by the board and a written examination testing the applicant's knowledge and understanding of the laws and regulations regarding the practice of chiropractic in this state. The board shall issue to each applicant who meets the standards and successful completion of the examinations, as established by rule of the board, a license to practice chiropractic. The board shall not recognize any correspondence work in any chiropractic school or college as credit for meeting the requirements of this chapter.

6. The board shall issue a license without examination to persons who have been regularly licensed to practice chiropractic in any foreign country, provided that the regulations for securing a license in the other country are equivalent to those required for licensure in the state of Missouri, when the applicant furnishes satisfactory evidence that the applicant has continuously practiced chiropractic for at least one year immediately preceding the applicant's application to the board [and that the applicant is of good moral character], and upon the payment of the reciprocity license fee as established by rule of the board. The board may require an applicant to successfully complete the Special Purposes Examination for Chiropractic (SPEC) administered by the National Board of Chiropractic Examiners if the requirements for securing a license in the other country are not equivalent to those required for licensure in the state of Missouri at the time application is made for licensure under this subsection.

7. Any applicant who has failed any portion of the practical examination administered or approved by the board three times shall be required to return to an accredited chiropractic college for a semester of additional study in the subjects failed, as provided by rule of the board.

8. A chiropractic physician currently licensed in Missouri shall apply to the board for certification prior to engaging in the practice of meridian therapy/acupressure/acupuncture. Each such application shall be accompanied by the required fee. The board shall establish by rule the minimum requirements for the specialty certification under this subsection. "Meridian therapy/acupressure/acupuncture" shall mean methods of diagnosing and the treatment of a patient by stimulating specific points on or within the body by various methods including but not limited to manipulation, heat, cold, pressure, vibration, ultrasound, light, electrocurrent, and short-needle insertion for the purpose of obtaining a biopositive reflex response by nerve stimulation.

9. The board may through its rulemaking process authorize chiropractic physicians holding a current Missouri license to apply for certification in a specialty as the board may deem appropriate and charge a fee for application for certification, provided that:

(1) The board establishes minimum initial and continuing educational requirements sufficient to ensure the competence of applicants seeking certification in the particular specialty; and

(2) The board shall not establish any provision for certification of licensees in a particular specialty which is not encompassed within the practice of chiropractic as defined in section 331.010.

331.060. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. False, misleading or deceptive advertisements or solicitations shall include, but not be limited to:

(a) Promises of cure, relief from pain or other physical or mental condition, or improved physical or mental health;

(b) Any self-laudatory statement;

(c) Any misleading or deceptive statement offering or promising a free service. Nothing herein shall be construed to make it unlawful to offer a service for no charge if the offer is announced as part of a full disclosure of routine fees including consultation fees;

(d) Any misleading or deceptive claims of patient cure, relief or improved condition; superiority in service, treatment or materials; new or improved service, treatment or material, or reduced costs or greater savings. Nothing herein shall be construed to make it unlawful to use any such claim if it is readily verifiable by existing documentation, data or other substantial evidence. Any claim which exceeds or exaggerates the scope of its supporting documentation, data or evidence is misleading or deceptive;

(e) Failure to use the term “chiropractor”, “doctor of chiropractic”, “chiropractic physician”, or “D.C.” in any advertisement, solicitation, sign, letterhead, or any other method of addressing the public;

(f) Attempting to attract patronage in any manner which castigates, impugns, disparages, discredits or attacks other healing arts and sciences or other chiropractic physicians;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(17) Fails to maintain a chiropractic office in a safe and sanitary condition;

(18) Engaging in unprofessional or improper conduct in the practice of chiropractic;

(19) Administering or prescribing any drug or medicine or attempting to practice medicine, surgery, or osteopathy within the meaning of chapter 334;

(20) Being unable to practice as a chiropractic physician with reasonable skill and safety to patients because of one of the following: professional incompetency; illness, drunkenness, or excessive use of drugs, narcotics, or chemicals; any mental or physical condition. In enforcing this subdivision the board shall, after a hearing before the board, upon a finding of probable cause, require the chiropractor for the purpose of establishing his competency to practice as a chiropractic physician to submit to a reexamination, which shall be conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the chiropractic physician’s professional competence by at least three chiropractic physicians, or to submit to a mental or physical examination or combination thereof by at least three physicians. One examiner shall be selected by the chiropractic physician compelled to take the examination, one selected by the board, and one shall be selected by the two examiners so selected. Notice of the physical or mental examination shall be given by personal service or certified mail. Failure of the chiropractic physician to submit to an examination when directed shall constitute an admission of the allegations against him, unless the failure was due to circumstances beyond his control. A chiropractic physician whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that he can resume competent practice with reasonable skill and safety to patients.

(a) In any proceeding under this subdivision, neither the record of proceedings nor the orders entered

by the board shall be used against a chiropractic physician in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(b) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the following: denying his application for a license; permanently withholding issuance of a license; administering a public or private reprimand; suspending or limiting or restricting his license to practice as a chiropractic physician for a period of not more than five years; revoking his license to practice as a chiropractic physician; requiring him to submit to the care, counseling or treatment of physicians designated by the chiropractic physician compelled to be treated. For the purpose of this subdivision, “license” includes the certificate of registration, or license, or both, issued by the board.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination:

(1) Censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years; or

(2) May suspend the license, certificate or permit for a period not to exceed three years; or

(3) Revoke the license, certificate or permit.

4. If at any time after disciplinary sanctions have been imposed under this section or under any provision of this chapter, the licensee removes himself from the state of Missouri, ceases to be currently licensed under the provisions of this chapter, or fails to keep the Missouri state board of chiropractic examiners advised of his current place of business and residence, the time of his absence, or unlicensed status, or unknown whereabouts shall not be deemed or taken as any part of the time of discipline so imposed.

332.231. Any person [who is of good moral character and reputation and] who has satisfactorily completed a course in dental hygiene in an accredited dental hygiene school may apply to the board for examination and registration as a dental hygienist in Missouri.

332.251. 1. Each applicant for examination as a dental hygienist shall[, after the board has determined that he is a person of good moral character and reputation,] appear before the board at the time and place specified by the board in a written notice to each such applicant. The fee accompanying the application as provided in section 332.241 shall not be refunded to any applicant who fails to appear at the time and place so specified, but the board for good cause shown, as defined by rule, may permit any applicant to take the examination or examinations at a later time without paying an additional fee.

2. The board shall determine and specify by rule whether dental hygienist examinations shall be written or oral or clinical or all three, but in any event the examination shall be of such form and of such content and character as to thoroughly test the qualifications of the applicant to practice as a dental hygienist in Missouri. Completion of the national board theoretical examination with scores acceptable to the board, as promulgated by rule, is a prerequisite to taking the dental hygienist examinations.

3. Any applicant who passes the dental hygienist examination or examinations with the average grade specified in a rule promulgated by the board shall be entitled to registration as a dental hygienist in

Missouri, and shall receive a certificate of registration. Irrespective of the fact that an applicant may have made passing grades on his examinations, he shall not be entitled to a certificate of registration as a dental hygienist if the board finds that at any time prior to the issuance of the certificate the applicant has cheated on his examination or examinations, or has made false or misleading statements in any application filed for such examination with intent to deceive the board[, or that he is not a person of good moral character and reputation].

4. The board shall determine and specify by rule the number of times an applicant may fail all or a portion of the dental hygiene examinations without completing additional education in an accredited dental hygiene school, and shall specify by rule the type and amount of additional education which shall be required of an applicant, which type and amount may vary depending upon the failed portions of the dental hygiene examinations. However, no applicant shall be refused permission to take the dental hygiene examinations twice without completing additional education, nor shall additional education be required if the applicant only fails an examination over Missouri laws.

332.281. The board shall grant without examination a certificate of registration and license to a dental hygienist who has been licensed in another state for at least two consecutive years immediately preceding his application to practice in Missouri if the board is satisfied by proof adduced by the applicant that his qualifications are at least equivalent to the requirements for initial registration as a dental hygienist in Missouri under the provisions of this chapter [and that he is of good moral character and reputation]; provided that the board may by rule require an applicant under this section to take any examination over Missouri laws given to dental hygienist initially seeking licensure under section 332.251 and to take a practical examination if his licensure in any state was ever denied, revoked or suspended for incompetency or inability to practice in a safe manner, or if he has failed any practical examination given as a prerequisite to licensure as a dental hygienist in any state. Any such dental hygienist applying to be so registered and licensed shall accompany his application with a fee not greater than the dental hygienist examination and license fees and if registered and licensed shall renew his license as provided in section 332.261.

332.291. Any person registered and currently licensed as a dental hygienist[, who is of good moral character,] who has been practicing as a dental hygienist in Missouri immediately preceding the date of his application under the continuous supervision of a registered and currently licensed dentist in Missouri, may apply to the board for a certificate to be signed and attested by a designee of the board and bearing the board's seal, certifying that the holder is a person of good moral character, that he was registered and licensed in Missouri as a dental hygienist on the _____ day of _____, 20_____, and has been practicing as a dental hygienist continuously under the supervision of a duly registered and currently licensed dentist in Missouri for _____ year(s) immediately preceding the date of the certificate, and that he has represented to the board that he intends to apply to practice as a dental hygienist in the state of _____; provided that the required fee shall accompany each application.

333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is[:

(1)] at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board[; and

(2) A person of good moral character].

2. Every person desiring to enter the profession of embalming dead human bodies within the state of

Missouri and who is enrolled in a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

(1) Is at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;

(2) [Is a person of good moral character;

(3)] Has completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board. If an applicant does not complete all requirements for licensure within five years from the date of his or her completion of an accredited program, his or her registration as an apprentice embalmer shall be automatically cancelled. The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application;

[(4)] (3) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;

[(5)] (4) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license during an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not complete the application process within the five years after his or her completion of an approved program, then he or she must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the

board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

334.414. 1. The board shall issue a certificate of registration to any applicant that meets the qualifications for an anesthesiologist assistant and that has paid the required fees.

2. The board shall promulgate rules and regulations pertaining to:

(1) Establishing application forms to be furnished to all persons seeking registration pursuant to sections 334.400 to 334.430;

(2) Accepting certification by the National Commission on Certification of Anesthesiologist Assistants or its successor in lieu of examinations for applicants for registration pursuant to sections 334.400 to 334.430;

(3) Determining the form and design of the registration to be issued pursuant to sections 334.400 to 334.430;

(4) Setting the amount of the fees for registration, licensure, and renewal pursuant to sections 334.400 to 334.430. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of sections 334.400 to 334.430;

(5) Keeping a record of all of its proceedings regarding sections 334.400 to 334.430 and of all anesthesiologist assistants registered in this state.

No rule or portion of a rule promulgated pursuant to the authority of sections 334.400 to 334.430 shall become effective unless it has been promulgated pursuant to chapter 536.

3. The board shall have the authority to:

(1) Issue subpoenas to compel witnesses to testify or produce evidence in proceedings to deny, suspend, or revoke registration; and

(2) Establish guidelines for anesthesiologist assistants pursuant to sections 334.400 to 334.430.

4. The board may refuse to issue, suspend, revoke, or renew any certificate of registration or authority, permit, or license required pursuant to sections 334.400 to 334.430 for one or any combination of causes stated in subsection 5 of this section. The board shall notify the applicant in writing of the reasons for the refusal, suspension, or revocation and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

5. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit, or license required pursuant to sections 334.400 to 334.430 or against any person who has failed to renew or has surrendered a certificate of registration or authority, permit, or license for any one or any combination of the following

causes:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of an anesthesiologist assistant;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of an anesthesiologist assistant, for any offense for which an essential element is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 334.400 to 334.430 or in obtaining permission to take any examination given or required pursuant to sections 334.400 to 334.430;

(4) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions and duties of an anesthesiologist assistant;

(6) Violation of, or assisting or enabling any person to violate any provision of sections 334.400 to 334.430 or any lawful rule or regulation adopted pursuant to sections 334.400 to 334.430;

(7) Impersonation of any person holding a certificate of registration or authority, permit, or license, or allowing any person to use a certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right relating to the practice of an anesthesiologist assistant granted by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(9) Final adjudication of insanity or incompetency by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice as an anesthesiologist assistant who is not registered and currently eligible to practice pursuant to sections 334.400 to 334.430;

(11) Issuance of a certificate of registration or authority, permit, or license based upon a material mistake of fact;

(12) Violation of any professional trust or confidence;

(13) Violation of the ethical standards for an anesthesiologist assistant as defined by board rule; or

(14) Violation of chapter 195 or rules and regulations of this state, any other state, or the federal government.

6. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 5 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation with such terms and

conditions as the board deems appropriate for a period not to exceed ten years, or suspend his or her license for a period not to exceed seven years, or revoke his or her license, certificate, or permit.

7. An individual whose license has been revoked shall wait at least one year from the date of revocation to apply for relicensure and shall not be eligible for a temporary license. Relicensure shall be at the discretion of the board after compliance with all requirements of sections 334.400 to 334.430.

8. Any person who violates any of the provisions of sections 334.400 to 334.430 is guilty of class A misdemeanor.

334.530. 1. A candidate for license to practice as a physical therapist shall furnish evidence of such person's [good moral character and the person's] educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subsection 1 of this section. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licenses to practice physical therapy shall test entry-level competence as related to physical therapy theory, examination and evaluation, physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.

4. The examination shall embrace, in relation to the human being, the subjects of anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy theory and procedures as related to medicine, surgery and psychiatry, and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice physical therapy.

5. The applicant shall pass a test administered by the board on the laws and rules related to the practice of physical therapy in Missouri.

334.613. 1. The board may refuse to issue or renew a license to practice as a physical therapist or physical therapist assistant for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew a license to practice as a physical therapist or physical therapist assistant, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If

the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of a license to practice as a physical therapist or physical therapist assistant who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of a physical therapist or physical therapist assistant;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of a physical therapist or physical therapist assistant, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit, or license issued under this chapter or in obtaining permission to take any examination given or required under this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of a physical therapist or physical therapist assistant, including but not limited to the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for sessions of physical therapy which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment or services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine, or device;

(f) Performing services which have been declared by board rule to be of no physical therapy value;

(g) Final disciplinary action by any professional association, professional society, licensed hospital or medical staff of the hospital, or physical therapy facility in this or any other state or territory, whether agreed to voluntarily or not, and including but not limited to any removal, suspension, limitation, or restriction of the person's professional employment, malpractice, or any other violation of any provision

of this chapter;

(h) Administering treatment without sufficient examination, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional physical therapy practice;

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a physical therapist or physical therapist assistant/patient relationship exists; making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with patients or clients;

(j) Terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's physical therapy records to treating physicians, other physical therapists, or hospitals upon proper request; or failing to comply with any other law relating to physical therapy records;

(l) Failure of any applicant or licensee, other than the licensee subject to the investigation, to cooperate with the board during any investigation;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license renewal fees specified in this chapter;

(o) Violating a probation agreement with this board or any other licensing agency;

(p) Failing to inform the board of the physical therapist's or physical therapist assistant's current telephone number, residence, and business address;

(q) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physical therapist or physical therapist assistant. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation, or association which issues or conducts such advertising;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of a physical therapist or physical therapist assistant. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule adopted under this chapter;

(7) Impersonation of any person licensed as a physical therapist or physical therapist assistant or allowing any person to use his or her license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation, or other final disciplinary action against a physical therapist or physical therapist assistant for a license or

other right to practice as a physical therapist or physical therapist assistant by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including but not limited to the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of physical therapy while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice who is not licensed and currently eligible to practice under this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice physical therapy who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a license to practice as a physical therapist or physical therapist assistant based upon a material mistake of fact;

(12) Failure to display a valid license pursuant to practice as a physical therapist or physical therapist assistant;

(13) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any document executed in connection with the practice of physical therapy;

(14) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of physical therapy services for all patients, or the qualifications of an individual person or persons to render, or perform physical therapy services;

(15) Using, or permitting the use of, the person's name under the designation of "physical therapist", "physiotherapist", "registered physical therapist", "P.T.", "Ph.T.", "P.T.T.", "D.P.T.", "M.P.T." or "R.P.T.", "physical therapist assistant", "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(16) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment under chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the Social Security Act;

(17) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary facility or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in any physical therapy facility to the board, in writing, within thirty days after the discovery thereof;

(18) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon under this chapter, as a physician assistant under this chapter, as a chiropractor under chapter 331, as a dentist under chapter 332, as a podiatrist under chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, chiropractor, dentist, podiatrist, or advanced practice registered nurse practicing

in another jurisdiction, whose license is in good standing;

(19) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.685;

(20) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a physician who is authorized by law to do so;

(21) Failing to maintain adequate patient records under section 334.602;

(22) Attempting to engage in conduct that subverts or undermines the integrity of the licensing examination or the licensing examination process, including but not limited to utilizing in any manner recalled or memorized licensing examination questions from or with any person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with any other examinees during the test, or copying or sharing licensing examination questions or portions of questions;

(23) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant who requests, receives, participates or engages directly or indirectly in the division, transferring, assigning, rebating or refunding of fees received for professional services or profits by means of a credit or other valuable consideration such as wages, an unearned commission, discount or gratuity with any person who referred a patient, or with any relative or business associate of the referring person;

(24) Being unable to practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients by reasons of incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physical therapist or physical therapist assistant to submit to a reexamination for the purpose of establishing his or her competency to practice as a physical therapist or physical therapist assistant conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physical therapist's or physical therapist assistant's professional conduct, or to submit to a mental or physical examination or combination thereof by a facility or professional approved by the board;

(b) For the purpose of this subdivision, every physical therapist and physical therapist assistant licensed under this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physical therapist, physical therapist assistant or applicant without the physical therapist's, physical therapist assistant's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physical therapist or physical therapist assistant, by registered mail, addressed to the physical therapist or physical therapist assistant at the physical therapist's or physical therapist assistant's last known address. Failure of a physical therapist or physical therapist assistant to submit to the examination when directed shall constitute an admission of the allegations against the physical therapist or physical therapist assistant,

in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physical therapist's or physical therapist assistant's control. A physical therapist or physical therapist assistant whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physical therapist or physical therapist assistant can resume the competent practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients;

(e) In any proceeding under this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physical therapist or physical therapist assistant in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 3 of this section.

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure or place the physical therapist or physical therapist assistant named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend the physical therapist's or physical therapist assistant's license for a period not to exceed three years;

(3) Restrict or limit the physical therapist's or physical therapist assistant's license for an indefinite period of time;

(4) Revoke the physical therapist's or physical therapist assistant's license;

(5) Administer a public or private reprimand;

(6) Deny the physical therapist's or physical therapist assistant's application for a license;

(7) Permanently withhold issuance of a license;

(8) Require the physical therapist or physical therapist assistant to submit to the care, counseling or treatment of physicians designated by the board at the expense of the physical therapist or physical therapist assistant to be examined;

(9) Require the physical therapist or physical therapist assistant to attend such continuing educational courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the physical therapist or physical therapist assistant shall not apply for reinstatement of the physical therapist's or physical therapist assistant's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

5. Before restoring to good standing a license issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to

attend such continuing medical education courses and pass such examinations as the board may direct.

6. In any investigation, hearing or other proceeding to determine a physical therapist's, physical therapist assistant's or applicant's fitness to practice, any record relating to any patient of the physical therapist, physical therapist assistant, or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such physical therapist, physical therapist assistant, applicant, record custodian, or patient might otherwise invoke. In addition, no such physical therapist, physical therapist assistant, applicant, or record custodian may withhold records or testimony bearing upon a physical therapist's, physical therapist assistant's, or applicant's fitness to practice on the grounds of privilege between such physical therapist, physical therapist assistant, applicant, or record custodian and a patient.

334.616. 1. A license issued under [this chapter] **sections 334.500 to 334.687** by the Missouri state board of registration for the healing arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a [felony] criminal prosecution under the laws of [the state of Missouri, the laws of any other] **any state, [or] the laws of the United States [of America], or of any country,** for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of their profession, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit, or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall furnish evidence of the person's [good moral character and of the person's] educational qualifications. The educational requirements for licensure as a physical therapist assistant are:

(1) A certificate of graduation from an accredited high school or its equivalent; and

(2) Satisfactory evidence of completion of an associate degree program of physical therapy education accredited by the commission on accreditation of physical therapy education.

2. Persons desiring to practice as a physical therapist assistant in this state shall appear before the board at such time and place as the board may direct and be examined as to the person's fitness to engage in such practice. Applications for examination shall be on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications provided in subsection 1 of this section. Each application shall contain a statement that the statement is made under oath of affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the statement, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licensure to practice as physical therapist assistants shall

embrace an examination which shall cover the curriculum taught in accredited associate degree programs of physical therapy assistant education. Such examination shall be sufficient to test the qualification of the candidates as practitioners.

4. The examination shall include, as related to the human body, the subjects of anatomy, kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as related to medicine and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice as a physical therapist assistant.

5. The applicant shall pass a test administered by the board on the laws and rules related to the practice as a physical therapist assistant in this state.

6. The board shall license without examination any legally qualified person who is a resident of this state and who was actively engaged in practice as a physical therapist assistant on August 28, 1993. The board may license such person pursuant to this subsection until ninety days after the effective date of this section.

7. A candidate to practice as a physical therapist assistant who does not meet the educational qualifications may submit to the board an application for examination if such person can furnish written evidence to the board that the person has been employed in this state for at least three of the last five years under the supervision of a licensed physical therapist and such person possesses the knowledge and training equivalent to that obtained in an accredited school. The board may license such persons pursuant to this subsection until ninety days after rules developed by the state board of healing arts regarding physical therapist assistant licensing become effective.”; and

Further amend said bill, Page 37, Section 334.726, Line 25, by inserting after all of said line the following:

“334.920. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to sections 334.800 to 334.930 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 334.800 to 334.930 or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of a respiratory care practitioner;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of a respiratory care practitioner, for any offense an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 334.800 to 334.930 or in obtaining permission to take any examination given or required pursuant to sections 334.800 to 334.930;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions and duties of a respiratory care practitioner;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 334.800 to 334.930 or any lawful rule or regulation adopted pursuant to sections 334.800 to 334.930;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 334.800 to 334.930 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person if finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice as a respiratory care practitioner who is not registered and currently eligible to practice pursuant to sections 334.800 to 334.930;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Violation of any professional trust or confidence;

(13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(14) Committing unethical conduct as defined in the ethical standards for respiratory care practitioners adopted by the division and filed with the secretary of state; or

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation with such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or may revoke the license, certificate or permit.

4. An individual whose license has been revoked shall wait at least one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the board after compliance with all requirements of sections 334.800 to 334.930 relative to the licensing of the applicant for the first time.

5. Any person who violates any of the provisions of sections 334.800 to 334.930 is guilty of class A misdemeanor.

336.030. 1. A person is qualified to receive a license as an optometrist:

(1) [Who is of good moral character;

(2)] Who has graduated from a college or school of optometry approved by the board; and

[(3)] **(2)** Who has met either of the following conditions:

(a) Has passed an examination satisfactory to, conducted by, or approved by the board to determine his or her fitness to receive a license as an optometrist with pharmaceutical certification and met the requirements of licensure as may be required by rule and regulation; or

(b) Has been licensed and has practiced for at least three years in the five years immediately preceding the date of application with pharmaceutical certification in another state, territory, country, or province in which the requirements are substantially equivalent to the requirements in this state and has satisfactorily completed any practical examination or any examination on Missouri laws as may be required by rule and regulation.

2. The board may adopt reasonable rules and regulations providing for the examination and certification of optometrists who apply to the board for the authority to practice optometry in this state.”; and

Further amend said bill, Page 38, Section 336.080, Line 20, by inserting after all of said line the following:

“336.110. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the

performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. False, misleading or deceptive advertisements or solicitations shall include, but not be limited to:

(a) Promises of cure, relief from pain or other physical or mental condition, or improved physical or mental health;

(b) Any self-laudatory statement;

(c) Any misleading or deceptive statement offering or promising a free service. Nothing herein shall be construed to make it unlawful to offer a service for no charge if the offer is announced as part of a full disclosure of routine fees including consultation fees;

(d) Any misleading or deceptive claims of patient cure, relief or improved condition; superiority in service, treatment or materials; new or improved service, treatment or material; or reduced costs or greater savings. Nothing herein shall be construed to make it unlawful to use any such claim if it is readily verifiable by existing documentation, data or other substantial evidence. Any claim which exceeds or exaggerates the scope of its supporting documentation, data or evidence is misleading or deceptive;

(15) Violation of the drug laws or rules and regulation of this state, any other state or the federal government;

(16) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure

or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.”; and

“Further amend said bill, Page 44, Section 337.029, Line 11, by inserting after all of said line the following:

“337.035. 1. The committee may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person’s certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice as provided this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in “Ethical Rules of Conduct” as adopted by the committee and filed with the secretary of state.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the committee may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. An interested third party may file a complaint or appear or present evidence relative to such complaint or another complaint filed pursuant to this section. For purposes of this section, an interested third party includes a parent or guardian of a person who received treatment by a psychologist or any person who is related within the second degree of consanguinity or affinity and who is financially responsible for the payment of such treatment.”; and

Further amend said bill, Page 49, Section 337.050, Line 8, by inserting after all of said line the following:

“337.330. 1. The committee may refuse to issue any license required under this chapter for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission, as provided by chapter 621, against any holder of any license required by this chapter or any person who has failed to renew or has surrendered the person’s license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country** for any offense [reasonably] **directly** related to the [qualifications, functions, or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud,

dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued under this chapter or in obtaining permission to take any examination given or required under sections 337.300 to 337.345;

(4) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of any profession licensed by sections 337.300 to 337.345;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 337.300 to 337.345, or of any lawful rule adopted thereunder;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license, or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 337.300 to 337.345 granted by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 337.300 to 337.345 who is not registered and currently eligible to practice as provided in sections 337.300 to 337.345;

(11) Issuance of a certificate of registration or authority, permit, or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by sections 337.300 to 337.345 or any rule promulgated thereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in the code of conduct as adopted by the committee and filed with the secretary of state.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish evidence to the committee that the applicant is at least eighteen years of age, [is of good moral character,] is a United States

citizen or is legally present in the United States; and

(1) The applicant has completed a course of study as defined by the board rule leading to a master's, specialist's, or doctoral degree with a major in counseling, except any applicant who has held a license as a professional counselor in this state or currently holds a license as a professional counselor in another state shall not be required to have completed any courses related to career development; and

(2) The applicant has completed acceptable supervised counseling as defined by board rule. If the applicant has a master's degree with a major in counseling as defined by board rule, the applicant shall complete at least two years of acceptable supervised counseling experience subsequent to the receipt of the master's degree. The composition and number of hours comprising the acceptable supervised counseling experience shall be defined by board rule. An applicant may substitute thirty semester hours of post master's graduate study for one of the two required years of acceptable supervised counseling experience if such hours are clearly related to counseling;

(3) After August 28, 2007, each applicant shall have completed a minimum of three hours of graduate level coursework in diagnostic systems either in the curriculum leading to a degree or as post master's graduate level course work;

(4) Upon examination, the applicant is possessed of requisite knowledge of the profession, including techniques and applications, research and its interpretation, and professional affairs and ethics.

2. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States to practice as a professional counselor who does not meet the requirements in section 324.009 and who is at least eighteen years of age, [is of good moral character,] and is a United States citizen or is legally present in the United States may be granted a license without examination to engage in the practice of professional counseling in this state upon the application to the board, payment of the required fee as established by the board, and satisfying one of the following requirements:

(1) Approval by the American Association of State Counseling Boards (AASCB) or its successor organization according to the eligibility criteria established by AASCB. The successor organization shall be defined by board rule; or

(2) In good standing and currently certified by the National Board for Certified Counselors or its successor organization and has completed acceptable supervised counseling experience as defined by board rule. The successor organization shall be defined by board rule.

3. The committee shall issue a license to each person who files an application and fee and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of this act and has taken and passed a written, open-book examination on Missouri laws and regulations governing the practice of professional counseling as defined in section 337.500. The division shall issue a provisional professional counselor license to any applicant who meets all requirements of this section, but who has not completed the required acceptable supervised counseling experience and such applicant may reapply for licensure as a professional counselor upon completion of such acceptable supervised counseling experience.

4. All persons licensed to practice professional counseling in this state shall pay on or before the license renewal date a renewal license fee and shall furnish to the committee satisfactory evidence of the completion of the requisite number of hours of continuing education as required by rule, including two hours of suicide assessment, referral, treatment, and management training, which shall be no more than forty hours biennially. The continuing education requirements may be waived by the committee upon presentation to

the committee of satisfactory evidence of the illness of the licensee or for other good cause.

337.525. 1. The committee may refuse to issue or renew any license required by the provisions of sections 337.500 to 337.540 for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his **or her** right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 337.500 to 337.540 or any person who has failed to renew or has surrendered his license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to engage in the occupation of professional counselor;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of a professional counselor; for any offense an essential element of which is fraud, dishonesty or an act of violence; or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of sections 337.500 to 337.540 or in obtaining permission to take any examination given or required pursuant to the provisions of sections 337.500 to 337.540;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a professional counselor;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 337.500 to 337.540, or of any lawful rule or regulation adopted pursuant to sections 337.500 to 337.540;

(7) Impersonation of any person holding a license or allowing any person to use his or her license or diploma from any school;

(8) Revocation or suspension of a license or other right to practice counseling granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice professional counseling who is not licensed and currently eligible to practice under the provisions of sections 337.500 to 337.540;

(11) Issuance of a license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by sections 337.500 to 337.540 or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in the ethical standards for counselors adopted by the division and filed with the secretary of state.

3. Any person, organization, association or corporation who reports or provides information to the committee pursuant to the provisions of this chapter and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license.

337.615. 1. Each applicant for licensure as a clinical social worker shall furnish evidence to the committee that:

(1) The applicant has a master's degree from a college or university program of social work accredited by the council of social work education or a doctorate degree from a school of social work acceptable to the committee;

(2) The applicant has completed at least three thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, in no less than twenty-four months and no more than forty-eight consecutive calendar months. For any applicant who has successfully completed at least four thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, within the same time frame prescribed in this subsection, the applicant shall be eligible for application of licensure at three thousand hours and shall be furnished a certificate by the state committee for social workers acknowledging the completion of said additional hours;

(3) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be promulgated by rule of the committee;

(4) The applicant is at least eighteen years of age, [is of good moral character,] is a United States citizen or has status as a legal resident alien, and has not been [convicted of a felony during the ten years immediately prior to application for licensure] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence has been imposed.**

2. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States or the District of Columbia to practice clinical social work who does not meet the requirements of section 324.009 and who has had no disciplinary action taken against the license, certificate of registration, or permit for the preceding five years may be granted a license to practice clinical social work in this state if the person has received a masters or doctoral degree from a college or university

program of social work accredited by the council of social work education and has been licensed to practice clinical social work for the preceding five years.

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of this section.

337.630. 1. The committee may refuse to issue or renew any license required by the provisions of sections 337.600 to 337.689 for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 337.600 to 337.689 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to engage in the occupation of social work licensed under this chapter; except that the fact that a person has undergone treatment for past substance or alcohol abuse and/or has participated in a recovery program, shall not by itself be cause for refusal to issue or renew a license;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of a social worker licensed under this chapter; for any offense an essential element of which is fraud, dishonesty or an act of violence; or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of sections 337.600 to 337.689 or in obtaining permission to take any examination given or required pursuant to the provisions of sections 337.600 to 337.689;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a social worker licensed pursuant to this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 337.600 to 337.689, or of any lawful rule or regulation adopted pursuant to sections 337.600 to 337.689;

(7) Impersonation of any person holding a license or allowing any person to use the person's license or diploma from any school;

(8) Revocation or suspension of a license or other right to practice social work licensed pursuant to this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) Final adjudication as incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice social work licensed pursuant to this chapter who is not licensed and currently eligible to practice pursuant to the provisions of sections 337.600 to 337.689;

(11) Obtaining a license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by sections 337.600 to 337.689 or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in the ethical standards for clinical social workers adopted by the committee by rule and filed with the secretary of state.

3. Any person, organization, association or corporation who reports or provides information to the committee pursuant to the provisions of sections 337.600 to 337.689 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license.

337.644. 1. Each applicant for licensure as a master social worker shall furnish evidence to the committee that:

(1) The applicant has a master's or doctorate degree in social work from an accredited social work degree program approved by the council of social work education;

(2) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be determined by the state committee for social workers;

(3) The applicant is at least eighteen years of age, [is of good moral character,] is a United States citizen or has status as a legal resident alien, and has not been [convicted of a felony during the ten years immediately prior to application for licensure] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless or whether or not sentence is imposed;**

(4) The applicant has submitted a written application on forms prescribed by the state board;

(5) The applicant has submitted the required licensing fee, as determined by the committee.

2. Any applicant who answers in the affirmative to any question on the application that relates to possible grounds for denial of licensure under section 337.630 shall submit a sworn affidavit setting forth

in detail the facts which explain such answer and copies of appropriate documents related to such answer.

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subsection 1 of this section. The license shall refer to the individual as a licensed master social worker and shall recognize that individual's right to practice licensed master social work as defined in section 337.600.

337.645. 1. Each applicant for licensure as an advanced macro social worker shall furnish evidence to the committee that:

(1) The applicant has a master's degree from a college or university program of social work accredited by the council of social work education or a doctorate degree from a school of social work acceptable to the committee;

(2) The applicant has completed at least three thousand hours of supervised advanced macro experience with a qualified advanced macro supervisor as defined in section 337.600 in no less than twenty-four months and no more than forty-eight consecutive calendar months. For any applicant who has successfully completed at least four thousand hours of supervised advanced macro experience with a qualified advanced macro supervisor, as defined in section 337.600, within the same time frame prescribed in this subsection, the applicant shall be eligible for application of licensure at three thousand hours and shall be furnished a certificate by the state committee for social workers acknowledging the completion of said additional hours;

(3) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be promulgated by rule of the committee;

(4) The applicant is at least eighteen years of age, [is of good moral character,] is a United States citizen or has status as a legal resident alien, and has not been [convicted of a felony during the ten years immediately prior to application for licensure] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed.**

2. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States or the District of Columbia to practice advanced macro social work who has had no disciplinary action taken against the license, certificate of registration, or permit for the preceding five years may be granted a license to practice advanced macro social work in this state if the person meets one of the following criteria:

(1) Has received a master's or doctoral degree from a college or university program of social work accredited by the council of social work education and has been licensed to practice advanced macro social work for the preceding five years; or

(2) Is currently licensed or certified as an advanced macro social worker in another state, territory of the United States, or the District of Columbia having substantially the same requirements as this state for advanced macro social workers.

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that

the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of this section.

337.665. 1. Each applicant for licensure as a baccalaureate social worker shall furnish evidence to the committee that:

(1) The applicant has a baccalaureate degree in social work from an accredited social work degree program approved by the council of social work education;

(2) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be determined by the state committee for social work;

(3) The applicant is at least eighteen years of age, [is of good moral character,] is a United States citizen or has status as a legal resident alien, and has not been [convicted of a felony during the ten years immediately prior to application for licensure] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;**

(4) The applicant has submitted a written application on forms prescribed by the state board;

(5) The applicant has submitted the required licensing fee, as determined by the committee.

2. Any applicant who answers in the affirmative to any question on the application that relates to possible grounds for denial of licensure pursuant to section 337.630 shall submit a sworn affidavit setting forth in detail the facts which explain such answer and copies of appropriate documents related to such answer.

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subsection 1 of this section.

4. The committee shall issue a certificate to practice independently under subsection 3 of section 337.653 to any licensed baccalaureate social worker who has satisfactorily completed three thousand hours of supervised experience with a qualified baccalaureate supervisor in no less than twenty-four months and no more than forty-eight consecutive calendar months.

337.715. 1. Each applicant for licensure or provisional licensure as a marital and family therapist shall furnish evidence to the committee that:

(1) The applicant has a master's degree or a doctoral degree in marital and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education, or its equivalent as defined by committee regulation, from an educational institution accredited by a regional accrediting body that is recognized by the United States Department of Education;

(2) The applicant for licensure as a marital and family therapist has twenty-four months of postgraduate supervised clinical experience acceptable to the committee, as the state committee determines by rule;

(3) After August 28, 2008, the applicant shall have completed a minimum of three semester hours of graduate-level course work in diagnostic systems either within the curriculum leading to a degree as defined in subdivision (1) of this subsection or as post-master's graduate-level course work. Each applicant shall

demonstrate supervision of diagnosis as a core component of the postgraduate supervised clinical experience as defined in subdivision (2) of this subsection;

(4) Upon examination, the applicant is possessed of requisite knowledge of the profession, including techniques and applications research and its interpretation and professional affairs and ethics;

(5) The applicant is at least eighteen years of age, [is of good moral character,] is a United States citizen or has status as a legal resident alien, and has not been [convicted of a felony during the ten years immediately prior to application for licensure] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed.**

2. Any person otherwise qualified for licensure holding a current license, certificate of registration, or permit from another state or territory of the United States or the District of Columbia to practice marriage and family therapy may be granted a license without examination to engage in the practice of marital and family therapy in this state upon application to the state committee, payment of the required fee as established by the state committee, and satisfaction of the following:

(1) Determination by the state committee that the requirements of the other state or territory are substantially the same as Missouri;

(2) Verification by the applicant's licensing entity that the applicant has a current license; and

(3) Consent by the applicant to examination of any disciplinary history in any state.

3. The state committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.700 to 337.739.

337.730. 1. The committee may refuse to issue or renew any license required by the provisions of sections 337.700 to 337.739 for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 337.700 to 337.739 or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to engage in the occupation of marital and family therapist; except the fact that a person has undergone treatment for past substance or alcohol abuse or has participated in a recovery program, shall not by itself be cause for refusal to issue or renew a license;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of a marital and family therapist; for any offense an essential element of which is fraud, dishonesty or an act of violence; or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;**

(3) Use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of sections 337.700 to 337.739 or in obtaining permission to take any examination given or required pursuant to the provisions of sections 337.700 to 337.739;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a marital and family therapist;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 337.700 to 337.739 or of any lawful rule or regulation adopted pursuant to sections 337.700 to 337.739;

(7) Impersonation of any person holding a license or allowing any person to use the person's license or diploma from any school;

(8) Revocation or suspension of a license or other right to practice marital and family therapy granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) Final adjudication as incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice marital and family therapy who is not licensed and is not currently eligible to practice under the provisions of sections 337.700 to 337.739;

(11) Obtaining a license based upon a material mistake of fact;

(12) Failure to display a valid license if so required by sections 337.700 to 337.739 or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in the ethical standards for marital and family therapists adopted by the committee by rule and filed with the secretary of state.

3. Any person, organization, association or corporation who reports or provides information to the committee under sections 337.700 to 337.739 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

4. After filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the division may censure or place the person named in the complaint on probation on such terms and conditions as the committee deems appropriate for a period not to exceed five years, or may suspend for a period not to exceed three years, or revoke the license.

339.040. 1. Licenses shall be granted only to persons who present, and corporations, associations, partnerships, limited partnerships, limited liability companies, and professional corporations whose officers, managers, associates, general partners, or members who actively participate in such entity's brokerage, broker-salesperson, or salesperson business present, satisfactory proof to the commission that they[

- (1) Are persons of good moral character; and
- (2) Bear a good reputation for honesty, integrity, and fair dealing; and
- (3)] are competent to transact the business of a broker or salesperson in such a manner as to safeguard the interest of the public.

2. In order to determine an applicant's qualifications to receive a license under sections 339.010 to 339.180 and sections 339.710 to 339.860, the commission shall hold oral or written examinations at such times and places as the commission may determine.

3. Each applicant for a broker or salesperson license shall be at least eighteen years of age and shall pay the broker examination fee or the salesperson examination fee.

4. Each applicant for a broker license shall be required to have satisfactorily completed the salesperson license examination prescribed by the commission. For the purposes of this section only, the commission may permit a person who is not associated with a licensed broker to take the salesperson examination.

5. Each application for a broker license shall include a certificate from the applicant's broker or brokers that the applicant has been actively engaged in the real estate business as a licensed salesperson for at least two years immediately preceding the date of application, and shall include a certificate from a school accredited by the commission under the provisions of section 339.045 that the applicant has, within six months prior to the date of application, successfully completed the prescribed broker curriculum or broker correspondence course offered by such school, except that the commission may waive all or part of the requirements set forth in this subsection when an applicant presents proof of other educational background or experience acceptable to the commission. Each application for a broker-salesperson license shall include evidence of the current broker license held by the applicant.

6. Each application for a salesperson license shall include a certificate from a school accredited by the commission under the provisions of section 339.045 that the applicant has, within six months prior to the date of application, successfully completed the prescribed salesperson curriculum or salesperson correspondence course offered by such school, except that the commission may waive all or part of the educational requirements set forth in this subsection when an applicant presents proof of other educational background or experience acceptable to the commission.

7. The commission may issue a temporary work permit pending final review and printing of the license to an applicant who appears to have satisfied the requirements for licenses. The commission may, at its discretion, withdraw the work permit at any time.

8. Every active broker, broker-salesperson, salesperson, officer, manager, general partner, member or associate shall provide upon request to the commission evidence that during the two years preceding he or she has completed twelve hours of real estate instruction in courses approved by the commission. The commission may, by rule and regulation, provide for individual waiver of this requirement.

9. Each entity that provides continuing education required under the provisions of subsection 8 of this section may make available instruction courses that the entity conducts through means of distance delivery. The commission shall by rule set standards for such courses. The commission may by regulation require the individual completing such distance-delivered course to complete an examination on the contents of the course. Such examination shall be designed to ensure that the licensee displays adequate knowledge of the subject matter of the course, and shall be designed by the entity producing the course and approved by the

commission.

10. In the event of the death or incapacity of a licensed broker, or of one or more of the licensed general partners, officers, managers, members or associates of a real estate partnership, limited partnership, limited liability company, professional corporation, corporation, or association whereby the affairs of the broker, partnership, limited partnership, limited liability company, professional corporation, corporation, or association cannot be carried on, the commission may issue, without examination or fee, to the legal representative or representatives of the deceased or incapacitated individual, or to another individual approved by the commission, a temporary broker license which shall authorize such individual to continue for a period to be designated by the commission to transact business for the sole purpose of winding up the affairs of the broker, partnership, limited partnership, limited liability company, professional corporation, corporation, or association under the supervision of the commission.

339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee's designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties

executing the same where the instruments have been prepared by the licensee or under his or her supervision or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under

this chapter, **or** for any offense an essential element of which is fraud, dishonesty or an act of violence, [or for any offense involving moral turpitude,] whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape, statutory rape in the first degree, statutory rape in the second degree, rape in the second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission.

339.511. 1. There shall be six classes of licensure for individuals including:

- (1) State-licensed appraiser trainee;
- (2) State-licensed real estate appraiser;
- (3) State-certified residential appraiser trainee;
- (4) State-certified residential real estate appraiser;
- (5) State-certified general appraiser trainee; and
- (6) State-certified general real estate appraiser.

2. There shall be one class of license for appraisal management companies.

3. Persons desiring to obtain licensure as a state-licensed appraiser trainee, state-licensed real estate appraiser, state-certified residential appraiser trainee, certification as a state-certified residential real estate appraiser, state-certified general appraiser trainee, or state-certified general real estate appraiser shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification [and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing].

4. Each applicant for licensure as a state-licensed appraiser trainee, state-licensed real estate appraiser, a state-certified residential appraiser trainee, a state-certified residential real estate appraiser, a state-certified general appraiser trainee, or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

5. Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule; **and**

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule[; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing].

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter, or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], **of the United States, or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any

profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, “material” means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930;

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license, or the legal entity and any controlling person in the case of an appraisal management company, revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser, licensure as a state-licensed real estate appraiser, or licensure as an appraisal management company for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification or an appraisal management company license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant, or any controlling person in the case of an appraisal management company, has [pleaded guilty to,] **been finally adjudicated and found guilty, or has entered a plea of nolo contendere [to, or been found guilty of mortgage fraud as defined in section 570.310], in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed.** The commission shall notify the individual or legal entity of the reasons for the revocation in writing, by certified mail.

5. A person, or the legal entity or controlling person in the case of an appraisal management company, whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser, a license of a state-licensed real estate appraiser, or a license of an appraisal management company that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person, controlling person, or legal entity may not obtain certification as a state-certified real estate appraiser, licensure as a state-licensed real estate appraiser, or licensure as an appraisal management company subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully

complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

340.228. 1. Any person desiring a license to practice veterinary medicine in the state of Missouri shall make a written application to the board on forms to be provided by the board. The board shall provide such forms without charge upon the applicant's request.

2. Each application shall contain a statement that is made under oath or affirmation that representations made therein are true, correct and contain no material omissions of fact to the best knowledge and belief of the person making the application and whose signature shall be subscribed thereto. Any person who knowingly submits false information, information intended to mislead the board, or omits a material fact on the application shall be subject to penalties provided for by the laws of this state for giving a false statement under oath or affirmation, in addition to any actions which the board may take pursuant to the provisions of sections 340.200 to 340.330.

3. To qualify for licensure under sections 340.200 to 340.330, the application must show that the applicant:

(1) [Is a person of good moral character;

(2)] Is a graduate of an accredited school of veterinary medicine;

[(3)] (2) Has completed a veterinary candidacy program after graduation under the supervision of a veterinarian licensed and in good standing in any state, territory or district of the United States. The supervising veterinarian shall submit an affidavit to the board stating that the applicant has satisfactorily completed the veterinary candidacy program. If the applicant submits satisfactory proof that he or she has completed a student preceptor program recognized and approved by the board before graduation, the board may waive the veterinary candidacy requirement; and

[(4)] (3) Has passed an examination or examinations as prescribed by board rule. The examination or examinations shall be designed to test the examinee's knowledge of, and proficiency in, subjects and techniques commonly taught in schools of veterinary medicine, the requirements of sections 340.200 to 340.330, other related statutes and administrative rules and other material as determined by the board. An examinee must demonstrate scientific, practical and legal knowledge sufficient to establish for the board that the examinee is competent to practice veterinary medicine. The examination or examinations will only be given in the English language. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in this section.

4. The board may require such other information and proof of a person's fitness as it deems necessary.

340.264. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to sections 340.200 to 340.330 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may file a complaint with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 340.200 to 340.330 or any person who has failed to renew or has surrendered his or her certificate of

registration or authority, permit or license for any one or combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 340.200 to 340.330;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, [territory, district of the United States, or] **of the United States, or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under sections 340.200 to 340.330 or for any offense for which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 340.200 to 340.330 or in obtaining permission to take any examination given or required pursuant to sections 340.200 to 340.330;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by sections 340.200 to 340.330, including, but not limited to:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(b) Willfully and continually overcharging for services or overtreating patients or charging for services which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records, or charging for services which were not consented to by the owner of the patient or the owner's agent;

(c) Willfully or continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Attempting, directly or indirectly, by intimidation, coercion or deception to obtain or retain a patient or discourage the owner from seeking a second opinion or consultation;

(e) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, registration or licensure to perform such responsibilities;

(f) Misrepresenting that any disease or ailment can be cured by a method, procedure, treatment, medicine or device;

(g) Performing or prescribing medical services which have been declared by board rule to be of no medical value;

(h) Final disciplinary action by any professional veterinary medical association or society or licensed hospital or clinic or medical staff of such hospital or clinic in this state or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, surrender, or restriction of a license or staff or hospital or clinic privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was related to unprofessional conduct, professional incompetence, malpractice or any other violation of sections 340.200 to 340.330;

(i) Dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or establishment of a veterinarian-client-patient relationship, or for other medically accepted therapeutic or experimental or investigative purposes, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease; or the dispensing, prescribing, administering or distribution of any drug, controlled substance or other treatment by anyone other than a properly licensed veterinarian, unless such person is a properly registered veterinary technician, unregistered assistant, or the patient's owner and then to be limited to administration of drugs or other treatment under the supervision, control or explicit instructions of a licensed veterinarian;

(j) Terminating the medical care of a patient without adequate notice to the owner or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's medical records to another treating veterinarian, hospital, clinic, owner, or owner's agent upon proper request or waiver by the owner or owner's agent, or failing to comply with any other law relating to medical records; except, radiographs prepared by the licensed veterinarian shall remain the property of the veterinarian and shall be returned upon request or as otherwise agreed between the veterinarian and client;

(l) Failure of any applicant or licensee to cooperate with the board during any investigation, if such investigation does not concern the applicant or licensee;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license or registration renewal fees as specified in sections 340.200 to 340.330;

(o) Violating a probation agreement with the board or any other licensing authority of this state, another state or territory of the United States, or a federal agency;

(p) Violating any informal consent agreement for discipline entered into by an applicant or licensee with the board or any other licensing authority of this state, another state or territory of the United States, or a federal agency;

(q) Failing to inform the board of any change in business or residential address as required by sections 340.200 to 340.330 or administrative rule;

(r) Advertising by an applicant or licensee which is false or misleading, or which violates any rules of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other veterinarian;

(5) Any conduct or practice which is or might be harmful or dangerous to the health of a patient;

(6) Incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by sections 340.200 to 340.330. For purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by members of the profession;

(7) Violation of, or attempting to violate, directly or indirectly, or assisting, or enabling any person to violate, any provisions of sections 340.200 to 340.330, or any lawful rule or regulation adopted pursuant to sections 340.200 to 340.330;

(8) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his certificate of registration or authority, permit, license or diploma from any school;

(9) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of, or applicant for, a license or registration or other right to practice any profession regulated by sections 340.200 to 340.330 or by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to:

(a) Denial of licensure or registration;

(b) Surrender of the license or registration;

(c) Allowing the license or registration to expire or lapse; or

(d) Discontinuing or limiting the practice of veterinary medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, insurance company, court, agency of the state or federal government, or employer;

(10) Being adjudged incapacitated or disabled by a court of competent jurisdiction;

(11) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 340.200 to 340.330 who is not licensed or registered and currently eligible to practice under sections 340.200 to 340.330, or knowingly performing any act which aids, assists, procures, advises, or encourages any person to practice veterinary medicine who is not licensed or registered and currently eligible to practice under sections 340.200 to 340.330;

(12) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(13) Failure to obtain, renew or display a valid certificate, license, permit or notice if required;

(14) Violation of the drug laws or rules and regulations of this state, any other state, territory, or the federal government;

(15) Knowingly or recklessly making or causing to be made, or aiding or abetting in the making of a false statement or documentation in connection with the birth, death, or health of any animal, executed in connection with the practice of his or her profession or failure to file such statements or documents with the proper officials of the federal or state government as provided by law or any rule promulgated under sections 340.200 to 340.330;

(16) Soliciting patronage in person or by agents, under his or her own name or under the name of another, actual or pretended, in such a manner as to confuse, deceive or mislead the public as to the need or appropriateness of animal health care or services or the qualifications of an individual person or persons to diagnose, render, or perform such animal health care services;

(17) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(18) Maintaining an unsanitary office or facility, or performing professional services under unsanitary conditions with due consideration given to the place where the services are rendered;

(19) Practicing or offering to practice any profession or service regulated by sections 340.200 to 340.330 independent of the supervision and direction of a person licensed under sections 340.200 to 340.330 as a veterinarian in good standing by any candidate for registration or person registered to practice as a veterinary technician or engaged as an unregistered assistant to a veterinarian;

(20) Treating or attempting to treat ailments or health conditions of animals other than as authorized under sections 340.200 to 340.330 or board rule by any candidate for registration or person registered to practice as a veterinary technician or engaged as an unregistered assistant to a licensed veterinarian;

(21) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by a licensed physician;

(22) Any revocation, suspension, surrender, limitation or restriction of any controlled substance authority, whether agreed to voluntarily or not;

(23) Being unable to practice as a veterinarian or veterinary technician with reasonable skill and safety to patients because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition;

(24) Violation of any professional trust or confidence;

(25) Failing to obtain or renew any facility permit or to maintain mandatory requirements or minimum standards for any such facility as required by sections 340.200 to 340.330 or board rule.

3. If the board files a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. If the administrative hearing commission finds that grounds provided in this section are met, the board may either singly or in combination:

(1) Warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend such license, certificate or permit for a period not to exceed three years;

(3) Restrict or limit the license, certificate or permit for an indefinite period of time;

(4) Revoke such license, certificate or permit;

(5) Administer a public or private reprimand;

(6) Deny the application for a license;

(7) Permanently withhold issuance of a license or certificate;

(8) Require the applicant or licensee to submit to the care, counseling or treatment of physicians designated by the board at the expense of the person to be examined;

(9) Require the person to attend such continuing educational courses and pass such examinations as the board may direct.

340.274. 1. A license issued under sections 340.200 to 340.330 shall be automatically revoked following a review of the record of the proceedings by the board and upon a formal motion of the board:

(1) [When the final trial proceedings are concluded where a] **The** person has been **finally** adjudicated and found guilty, or has entered a plea of guilty or nolo contendere [whether or not a sentence is imposed:

(a)] in a [felony] criminal prosecution under the laws of [this state, the laws of any other state, territory

or district of the United States, or] **any state, of the United States, or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or duties of the person licensed under sections 340.200 to 340.330;

(b) For any felony offense, for which an essential element is fraud, dishonesty or an act of violence; or

(c) For any felony offense involving moral turpitude] **duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;**

(2) Upon the final and unconditional revocation or surrender of the person's license to practice the same profession in another state, territory or district of the United States upon grounds for which revocation is authorized in this state.

2. The license of such person shall be automatically reinstated if the conviction, judgment or revocation is set aside upon final appeal in any court of competent jurisdiction.

3. Any person who has been denied a license, certificate, permit or other authority to practice a profession in another state, if such profession in this state is regulated pursuant to sections 340.200 to 340.330, shall automatically be denied a license to practice such profession in this state; however, the board may establish qualifications whereby such person may be qualified and licensed to practice such profession in this state.

340.300. 1. Any person desiring to be registered as a veterinary technician in the state of Missouri shall submit a written application to the board. Such application shall be on forms furnished by the board without charge.

2. Each application shall contain a statement that is made under oath or affirmation that representations made therein are true, correct and contain no material omissions of fact to the best knowledge and belief of the person making the application and whose signature shall be subscribed thereto. Any person who knowingly submits false information, information intended to mislead the board, or omits a material fact on the application shall be subject to penalties provided for by the laws of this state for giving a false statement under oath or affirmation; such penalty is in addition to and not in lieu of any action which the board takes pursuant to the provisions of sections 340.200 to 340.330.

3. To qualify to be registered as a veterinary technician pursuant to this section, the application must show that the applicant:

(1) Is at least eighteen years of age;

(2) [Is of good moral character;

(3)] Has successfully completed a college level course of study in veterinary technology in a school having a curriculum approved by the board or a college level course in the care and treatment of animals which is accredited by the AVMA; and

[(4)] (3) Has passed an examination or examinations as prescribed by board rule. The examination or examinations shall be designed to test the examinee's knowledge of, proficiency in, subjects and techniques commonly taught in schools providing a curriculum in veterinary technology, familiarity with the requirements of sections 340.200 to 340.330, related statutes and board rules, and other material as determined by the board. An examinee must demonstrate scientific, practical and legal knowledge sufficient to establish to the board that the applicant is competent to practice as a veterinary technician. Applications

for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subdivisions (1), **and** (2) [and (3)] of this subsection.

4. The board may require additional information and proof of a person's fitness and qualifications by board rule.

344.030. 1. An applicant for an initial license shall file a completed application with the board on a form provided by the board, accompanied by an application fee as provided by rule payable to the department of health and senior services. Information provided in the application shall be attested by signature to be true and correct to the best of the applicant's knowledge and belief.

2. No initial license shall be issued to a person as a nursing home administrator unless:

(1) The applicant provides the board satisfactory proof that the applicant is [of good moral character and] a high school graduate or equivalent;

(2) The applicant provides the board satisfactory proof that the applicant has had a minimum of three years' experience in health care administration or two years of postsecondary education in health care administration or has satisfactorily completed a course of instruction and training prescribed by the board, which includes instruction in the needs properly to be served by nursing homes, the protection of the interests of residents therein, and the elements of good nursing home administration, or has presented evidence satisfactory to the board of sufficient education, training, or experience in the foregoing fields to administer, supervise and manage a nursing home; and

(3) The applicant passes the examinations administered by the board. If an applicant fails to make a passing grade on either of the examinations such applicant may make application for reexamination on a form furnished by the board and may be retested. If an applicant fails either of the examinations a third time, the applicant shall be required to complete a course of instruction prescribed and approved by the board. After completion of the board-prescribed course of instruction, the applicant may reapply for examination. With regard to the national examination required for licensure, no examination scores from other states shall be recognized by the board after the applicant has failed his or her third attempt at the national examination. There shall be a separate, nonrefundable fee for each examination. The board shall set the amount of the fee for examination by rules and regulations promulgated pursuant to section 536.021. The fee shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the examination.

3. Nothing in sections 344.010 to 344.108, or the rules or regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator, who is employed by an institution listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., to administer institutions certified by such commission for the care and treatment of the sick in accordance with the creed or tenets of a recognized church or religious denomination, to demonstrate proficiency in any techniques or to meet any educational qualifications or standards not in accord with the remedial care and treatment provided in such institutions. The applicant's license shall be endorsed to confine the applicant's practice to such institutions.

4. The board may issue a temporary emergency license for a period not to exceed ninety days to a person twenty-one years of age or over[, of good moral character] and a high school graduate or equivalent to serve as an acting nursing home administrator, provided such person is replacing a licensed nursing home

administrator who has died, has been removed or has vacated the nursing home administrator's position. No temporary emergency license may be issued to a person who has had a nursing home administrator's license denied, suspended or revoked. A temporary emergency license may be renewed for one additional ninety-day period upon a showing that the person seeking the renewal of a temporary emergency license meets the qualifications for licensure and has filed an application for a regular license, accompanied by the application fee, and the applicant has taken the examination or examinations but the results have not been received by the board. No temporary emergency license may be renewed more than one time.

344.050. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to refusal to issue or renew any certificate, registration or authority, permit or license, the board may, at its discretion, issue a license which is subject to probation for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary license to an applicant for licensure, the applicant may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary license seeking review of whether cause exists to discipline the licensee under subsection 2 of this section. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, [pursuant to] **in a criminal prosecution under the laws of any state [or], of the United States, or of any country,** for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Violation of, or assisting or enabling any person to violate, any provision of chapter 198 or any lawful rule or regulation promulgated thereunder;

(8) Impersonation of any person holding a certificate of registration or authority, permit or license, or allowing any person to use such person's certificate of registration or authority, permit, license or diploma from any school;

(9) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(10) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(11) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(12) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(13) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(14) Knowingly failing to report abuse or neglect of a resident in a long-term care facility, as required by section 198.070, of which he or she has actual knowledge that it is abuse or neglect;

(15) Violation of any professional trust or confidence;

(16) Having served as the administrator, operator, or any principal involved in the operation of a facility licensed under chapter 198 and during such time the facility has had its license revoked under section 198.036, has entered into a consent agreement to obtain a probationary license under subsection 5 of section 198.026, has had a license denied under subsection 2 of section 198.022, or has surrendered its license while under investigation.

3. The administrative hearing commission shall have no authority to require issuance of a license, pending a final determination by the commission, in any case in which an applicant is seeking initial licensure.

4. No license may be suspended or revoked and no application for renewal of a license may be denied under this section until the licensee has been afforded an opportunity for hearing after due notice as provided in sections 621.015 to 621.205.

5. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms as the board deems appropriate, or may suspend or revoke the certificate, permit or license. The board may exclude any application for up to five years for any person who has had his or her license revoked by the board or has surrendered his or her license to the board.

345.015. As used in sections 345.010 to 345.080, the following terms mean:

(1) “Audiologist”, a person who is licensed as an audiologist pursuant to sections 345.010 to 345.080 to practice audiology;

(2) “Audiology aide”, a person who is registered as an audiology aide by the board, who does not act independently but works under the direction and supervision of a licensed audiologist. Such person assists the audiologist with activities which require an understanding of audiology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee[, be of good moral and ethical character;] and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person’s educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision are provided on a regular and systematic basis by a licensed audiologist.

However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than audiology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising audiologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

(3) “Board”, the state board of registration for the healing arts;

(4) “Commission”, the advisory commission for speech-language pathologists and audiologists;

(5) “Hearing instrument” or “hearing aid”, any wearable device or instrument designed for or offered for the purpose of aiding or compensating for impaired human hearing and any parts, attachments or accessories, including ear molds, but excluding batteries, cords, receivers and repairs;

(6) “Person”, any individual, organization, or corporate body, except that only individuals may be licensed pursuant to sections 345.010 to 345.080;

(7) “Practice of audiology”:

(a) The application of accepted audiologic principles, methods and procedures for the measurement, testing, interpretation, appraisal and prediction related to disorders of the auditory system, balance system or related structures and systems;

(b) Provides consultation or counseling to the patient, client, student, their family or interested parties;

(c) Provides academic, social and medical referrals when appropriate;

(d) Provides for establishing goals, implementing strategies, methods and techniques, for habilitation, rehabilitation or aural rehabilitation, related to disorders of the auditory system, balance system or related structures and systems;

(e) Provides for involvement in related research, teaching or public education;

- (f) Provides for rendering of services or participates in the planning, directing or conducting of programs which are designed to modify audition, communicative, balance or cognitive disorder, which may involve speech and language or education issues;
- (g) Provides and interprets behavioral and neurophysiologic measurements of auditory balance, cognitive processing and related functions, including intraoperative monitoring;
- (h) Provides involvement in any tasks, procedures, acts or practices that are necessary for evaluation of audition, hearing, training in the use of amplification or assistive listening devices;
- (i) Provides selection, assessment, fitting, programming, and dispensing of hearing instruments, assistive listening devices, and other amplification systems;
- (j) Provides for taking impressions of the ear, making custom ear molds, ear plugs, swim molds and industrial noise protectors;
- (k) Provides assessment of external ear and cerumen management;
- (l) Provides advising, fitting, mapping assessment of implantable devices such as cochlear or auditory brain stem devices;
- (m) Provides information in noise control and hearing conservation including education, equipment selection, equipment calibration, site evaluation and employee evaluation;
- (n) Provides performing basic speech-language screening test;
- (o) Provides involvement in social aspects of communication, including challenging behavior and ineffective social skills, lack of communication opportunities;
- (p) Provides support and training of family members and other communication partners for the individual with auditory balance, cognitive and communication disorders;
- (q) Provides aural rehabilitation and related services to individuals with hearing loss and their families;
- (r) Evaluates, collaborates and manages audition problems in the assessment of the central auditory processing disorders and providing intervention for individuals with central auditory processing disorders;
- (s) Develops and manages academic and clinical problems in communication sciences and disorders;
- (t) Conducts, disseminates and applies research in communication sciences and disorders;
- (8) "Practice of speech-language pathology":
 - (a) Provides screening, identification, assessment, diagnosis, treatment, intervention, including but not limited to prevention, restoration, amelioration and compensation, and follow-up services for disorders of:
 - a. Speech: articulation, fluency, voice, including respiration, phonation and resonance;
 - b. Language, involving the parameters of phonology, morphology, syntax, semantics and pragmatic; and including disorders of receptive and expressive communication in oral, written, graphic and manual modalities;
 - c. Oral, pharyngeal, cervical esophageal and related functions, such as dysphagia, including disorders of swallowing and oral functions for feeding; orofacial myofunctional disorders;
 - d. Cognitive aspects of communication, including communication disability and other functional

disabilities associated with cognitive impairment;

e. Social aspects of communication, including challenging behavior, ineffective social skills, lack of communication opportunities;

(b) Provides consultation and counseling and makes referrals when appropriate;

(c) Trains and supports family members and other communication partners of individuals with speech, voice, language, communication and swallowing disabilities;

(d) Develops and establishes effective augmentative and alternative communication techniques and strategies, including selecting, prescribing and dispensing of augmentative aids and devices; and the training of individuals, their families and other communication partners in their use;

(e) Selects, fits and establishes effective use of appropriate prosthetic/adaptive devices for speaking and swallowing, such as tracheoesophageal valves, electrolarynges, or speaking valves;

(f) Uses instrumental technology to diagnose and treat disorders of communication and swallowing, such as videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;

(g) Provides aural rehabilitative and related counseling services to individuals with hearing loss and to their families;

(h) Collaborates in the assessment of central auditory processing disorders in cases in which there is evidence of speech, language or other cognitive communication disorders; provides intervention for individuals with central auditory processing disorders;

(i) Conducts pure-tone air conduction hearing screening and screening tympanometry for the purpose of the initial identification or referral;

(j) Enhances speech and language proficiency and communication effectiveness, including but not limited to accent reduction, collaboration with teachers of English as a second language and improvement of voice, performance and singing;

(k) Trains and supervises support personnel;

(l) Develops and manages academic and clinical programs in communication sciences and disorders;

(m) Conducts, disseminates and applies research in communication sciences and disorders;

(n) Measures outcomes of treatment and conducts continuous evaluation of the effectiveness of practices and programs to improve and maintain quality of services;

(9) “Speech-language pathologist”, a person who is licensed as a speech-language pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of speech-language pathology as defined in sections 345.010 to 345.080;

(10) “Speech-language pathology aide”, a person who is registered as a speech-language aide by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist. Such person assists the speech-language pathologist with activities which require an understanding of speech-language pathology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee[, be of good moral and ethical character;] and:

- (a) Be at least eighteen years of age;
- (b) Furnish evidence of the person's educational qualifications which shall be at a minimum:
 - a. Certification of graduation from an accredited high school or its equivalent; and
 - b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision is provided on a regular and systematic basis by a licensed speech-language pathologist.

However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than speech-language pathology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising speech-language pathologist, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

(11) "Speech-language pathology assistant", a person who is registered as a speech-language pathology assistant by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist practicing for at least one year or speech-language pathologist practicing under subdivision (1) or (6) of subsection 1 of section 345.025 for at least one year and whose activities require both academic and practical training in the field of speech-language pathology although less training than those established by sections 345.010 to 345.080 as necessary for licensing as a speech-language pathologist. To be eligible for registration by the board, each applicant shall submit the registration fee, supervising speech-language pathologist information if employment is confirmed, if not such information shall be provided after registration, [be of good moral character] and furnish evidence of the person's educational qualifications which meet the following:

(a) Hold a bachelor's level degree from an institution accredited or approved by a regional accrediting body recognized by the United States Department of Education or its equivalent; and

(b) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of bachelor's level course work and requirements in the field of speech-language pathology as established by the board through rules and regulations;

(c) Submit proof of completion of the number and type of clinical hours as established by the board through rules and regulations.

345.050. 1. To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person's [good moral and ethical character,] current competence and shall:

(1) Hold a master's or a doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;

(2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other

accrediting agency approved by the board; and

(3) Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

2. To be eligible for licensure by the board without examination, each applicant shall make application on forms prescribed by the board, submit the application fee [and shall be of good moral and ethical character], submit an activity statement and meet one of the following requirements:

(1) The board shall issue a license to any speech-language pathologist or audiologist who is licensed in another country and who has had no violations, suspension or revocations of a license to practice speech-language pathology or audiology in any jurisdiction; provided that, such person is licensed in a country whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure; or

(2) Hold the certificate of clinical competence issued by the American Speech-Language-Hearing Association in the area in which licensure is sought.

345.065. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to sections 345.010 to 345.080 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license or registration which is subject to probation, restriction or limitation to an applicant for licensure or registration for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license or registration to an applicant for licensure or registration, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license or registration seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 345.010 to 345.080 or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 345.010 to 345.080;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualifications, functions or] duties [of any profession licensed or regulated pursuant to sections 345.010 to 345.080, for any offense an essential

element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 345.010 to 345.080 or in obtaining permission to take any examination given or required pursuant to sections 345.010 to 345.080;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by sections 345.010 to 345.080;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 345.010 to 345.080, or of any lawful rule or regulation adopted pursuant to sections 345.010 to 345.080;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 345.010 to 345.080 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 345.010 to 345.080 who is not registered and currently eligible to practice pursuant to sections 345.010 to 345.080;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by sections 345.010 to 345.080 or any rule promulgated pursuant to sections 345.010 to 345.080;

(13) Violation of any professional trust or confidence;

(14) Fraudulently or deceptively using a license, provisional license or registration;

(15) Altering a license, provisional license or registration;

(16) Willfully making or filing a false report or record in the practice of speech-language pathology or audiology;

(17) Using or promoting or causing the use of any misleading, deceiving, improbable or untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia or any other representation;

(18) Falsely representing the use or availability of services or advice of a physician;

(19) Misrepresenting the applicant, licensee or holder by using the word doctor or any similar word,

abbreviation or symbol if the use is not accurate or if the degree was not obtained from a regionally accredited institution;

(20) Committing any act of dishonorable, immoral or unprofessional conduct while engaging in the practice of speech-language pathology or audiology;

(21) Providing services or promoting the sale of devices, appliances or products to a person who cannot reasonably be expected to benefit from such services, devices, appliances or products.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend, for a period not to exceed three years, or restrict or limit the person's ability to practice for an indefinite period of time, or revoke the license or registration.

4. The board may apply for relief by injunction, without bond, to restrain any person, partnership or corporation from engaging in any act or practice which constitutes an offense pursuant to sections 345.010 to 345.080. The board does not need to allege and prove that there is no adequate remedy at law to obtain an injunction. The members of the board and the advisory commission shall not be individually liable for applying for such relief.

346.055. 1. An applicant may obtain a license provided the applicant:

(1) Is at least eighteen years of age; and

(2) [Is of good moral character; and

(3)] Successfully passes a qualifying examination as described under sections 346.010 to 346.250; and

[(4)] (3) (a) Holds an associate's degree or higher, from a state or regionally accredited institution of higher education, in hearing instrument sciences; or

(b) Holds an associate's level degree or higher, from a state or regionally accredited institution of higher education and submits proof of completion of the International Hearing Society's Distance Learning for Professionals in Hearing Health Sciences Course; or

(c) Holds a master's or doctoral degree in audiology from a state or regionally accredited institution; or

(d) Holds a current, unsuspended, unrevoked license from another country if the standards for licensing in such country, as determined by the board, are substantially equivalent to or exceed those required in paragraph (a) or (b) of this subdivision; or

(e) Holds a current, unsuspended, unrevoked license from another country, has been actively practicing as a licensed hearing aid fitter or dispenser in another country for no less than forty-eight of the last seventy-two months, and submits proof of completion of advance certification from either the International Hearing Society or the National Board for Certification in Hearing Instrument Sciences.

2. The provisions of subsection 1 of this section shall not apply to any person holding a valid Missouri hearing instrument specialist license under this chapter when applying for the renewal of that license. These provisions shall apply to any person holding a hearing instrument specialist-in-training permit at the time

of their application for licensure or renewal of said permit.

3. (1) The board shall promulgate reasonable standards and rules for the evaluation of applicants for purposes of determining the course of instruction and training required of each applicant for a hearing instrument specialist license under the requirement of subdivision (4) of subsection 1 of this section.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

346.105. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter, upon recommendation of the board, for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The division may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or against any person who has failed to renew or has surrendered such person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state [or], of the United States, **or of any country**, for any offense [reasonably] **directly** related to the [qualification, functions or] duties [of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude,] **and responsibilities of the occupation, as set forth in section 324.012, regardless of** whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from

any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Representing that the service or advice of a person licensed as a physician pursuant to chapter 334 will be used or made available in the selection, fitting, adjustment, maintenance or repair of hearing instruments when that is not true, or using the words “doctor”, “clinic”, “clinical audiologist”, “state-licensed clinic”, “state registered”, “state certified”, or “state approved” or any other term, abbreviation, or symbol when it would falsely give the impression that service is being provided by physicians licensed pursuant to chapter 334, or by audiologists licensed pursuant to chapter 345, or that the licensee’s service has been recommended by the state when such is not the case.

436.230. 1. Except as otherwise provided in subsection 2 of this section, the director shall issue a certificate of registration to an individual who complies with section 436.227.

2. The director may refuse to issue a certificate of registration if the director determines that the applicant has engaged in conduct that has a significant adverse effect on the applicant’s fitness to serve as an athlete agent. In making the determination, the director may consider whether the applicant has:

(1) Been [convicted of a crime that if committed in this state would be a felony or other crime involving moral turpitude] **finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the United States, or of any country, for any offense directly related to the duties and responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not sentence is imposed;**

(2) Made a materially false, misleading, deceptive, or fraudulent representation as an athlete agent or in the application;

(3) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(4) Engaged in conduct prohibited by section 436.254;

(5) Had a registration or licensure as an athlete agent suspended, revoked, or denied or been refused renewal of registration or licensure in any state;

(6) Engaged in conduct or failed to engage in conduct the consequence of which was that a sanction,

suspension, or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event was imposed on a student athlete or educational institution; or

(7) Engaged in conduct that significantly adversely reflects on the applicant's credibility, honesty, or integrity.

3. In making a determination under subsection 3 of this section, the director shall consider:

(1) How recently the conduct occurred;

(2) The nature of the conduct and the context in which it occurred; and

(3) Any other relevant conduct of the applicant.

4. An athlete agent may apply to renew a registration by submitting an application for renewal in a form prescribed by the director. The application for renewal must be signed by the applicant under penalty of perjury under section 575.040 and shall contain current information on all matters required in an original registration.

5. A certificate of registration or a renewal of a registration is valid for two years.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted.

Senator Brown offered **SA 1 to SA 8:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 12, Line 6, by inserting after “339.205,” the following: “**the Missouri veterinary medical board's licensure of veterinarian's pursuant to chapter 340,**”; and

Further amend said amendment, page 14, lines 8-9, by striking all of said lines and inserting in lieu thereof the following: “**339.500 to 339.549; and nursing home administrators, licensed**”; and

Further amend said amendment, page 150, lines 12-29, by striking all of said lines; and

Further amend said amendment, page 151, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 152, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 153, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 154, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 155, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 156, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 157, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 158, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 159, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 160, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 161, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 162, lines 1-29, by striking all of said lines; and

Further amend said amendment, page 163, lines 1-2, by striking all of said lines.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Libla offered **SA 2 to SA 8**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 11, Line 24, by inserting immediately after “include” the following: “**the state board of education’s licensure of teachers pursuant to chapter 168,**”.

Senator Libla moved that the above amendment be adopted, which motion prevailed.

Senator Koenig moved that **SA 8**, as amended, be adopted, which motion prevailed.

Senator Sater offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 49, Section 337.050, Line 8, by inserting after all of said line the following:

“338.220. 1. It shall be unlawful for any person, copartnership, association, corporation or any other business entity to open, establish, operate, or maintain any pharmacy as defined by statute without first obtaining a permit or license to do so from the Missouri board of pharmacy. A permit shall not be required for an individual licensed pharmacist to perform nondispensing activities outside of a pharmacy, as provided by the rules of the board. A permit shall not be required for an individual licensed pharmacist to administer drugs, vaccines, and biologicals by protocol, as permitted by law, outside of a pharmacy. The following classes of pharmacy permits or licenses are hereby established:

- (1) Class A: Community/ambulatory;
- (2) Class B: Hospital pharmacy;
- (3) Class C: Long-term care;
- (4) Class D: Nonsterile compounding;
- (5) Class E: Radio pharmaceutical;
- (6) Class F: Renal dialysis;
- (7) Class G: Medical gas;
- (8) Class H: Sterile product compounding;
- (9) Class I: Consultant services;
- (10) Class J: Shared service;
- (11) Class K: Internet;

(12) Class L: Veterinary;

(13) Class M: Specialty (bleeding disorder);

(14) Class N: Automated dispensing system (health care facility);

(15) Class O: Automated dispensing system (ambulatory care);

(16) Class P: Practitioner office/clinic;

(17) Class Q: Charitable pharmacy.

2. Application for such permit or license shall be made upon a form furnished to the applicant; shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration; and shall be accompanied by a permit or license fee. The permit or license issued shall be renewable upon payment of a renewal fee. Separate applications shall be made and separate permits or licenses required for each pharmacy opened, established, operated, or maintained by the same owner.

3. All permits, licenses or renewal fees collected pursuant to the provisions of sections 338.210 to 338.370 shall be deposited in the state treasury to the credit of the Missouri board of pharmacy fund, to be used by the Missouri board of pharmacy in the enforcement of the provisions of sections 338.210 to 338.370, when appropriated for that purpose by the general assembly.

4. Class L: veterinary permit shall not be construed to prohibit or interfere with any legally registered practitioner of veterinary medicine in the compounding, administering, prescribing, or dispensing of their own prescriptions, or medicine, drug, or pharmaceutical product to be used for animals.

5. Except for any legend drugs under 21 U.S.C. Section 353, the provisions of this section shall not apply to the sale, dispensing, or filling of a pharmaceutical product or drug used for treating animals.

6. A “class B hospital pharmacy” shall be defined as a pharmacy owned, managed, or operated by a hospital as defined by section 197.020 or a clinic or facility under common control, management or ownership of the same hospital or hospital system. This section shall not be construed to require a class B hospital pharmacy permit or license for hospitals solely providing services within the practice of pharmacy under the jurisdiction of, and the licensure granted by, the department of health and senior services under and pursuant to chapter 197.

7. Upon application to the board, any hospital that holds a pharmacy permit or license on August 28, 2014, shall be entitled to obtain a class B pharmacy permit or license without fee, provided such application shall be submitted to the board on or before January 1, 2015.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 22, Section 324.009, Line 22, by striking “,” and inserting in lieu thereof the following:

“:

(1)”; and

Further amend said section, page 23, line 8, by inserting immediately after said line the following:

“(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.”.

Senator Bernskoetter moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter moved that SS for HCS for **HB 2046**, as amended, be adopted, which motion prevailed.

Senator Bernskoetter moved that SS for HCS for **HB 2046**, as amended, be read the 3rd time and was recognized to close.

President Pro Tem Schatz referred SS for HCS for **HB 2046** to the Committee on Fiscal Oversight.

Senator Hough assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred SCS for **SB 578**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **HB 1768**, with SCS and SCS for **SB 578** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1409, regarding David Moore, which was adopted.

Senator Cunningham offered Senate Resolution No. 1410, regarding Connie Weber, which was adopted.

Senator Walsh offered Senate Resolution No. 1411, regarding Ne’Shanti Powell, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1412, regarding Emily Fazio, Florissant, which was adopted.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

 FORTY-FIFTH DAY—WEDNESDAY, APRIL 29, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O’Laughlin	SB 1082-Bernskoetter
SB 1064-O’Laughlin	SB 1083-Brown
SB 1065-O’Laughlin	SB 1084-Brown
SB 1066-O’Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

THIRD READING OF SENATE BILLS

SCS for SB 578-Crawford (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

HCS for HB 1711	HB 1768-Riggs, with SCS (Hegeman)
HB 1450, HB 1296, HCS for HB 1331 & HCS for HB 1898-Schroer, with SCS (Luetkemeyer) (In Fiscal Oversight)	(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater	SB 625-Libla, with SCS
SB 524-Sater	SB 633-Hegeman
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 636-Wieland
SB 526-Emery, with SCS	SB 639-Riddle
SB 529-Cunningham, with SCS	SB 640-Onder
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 645-Hoskins, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 646-Koenig
SB 537-Libla	SB 647-Koenig, with SCS
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 542-Nasheed, with SCS	SB 661-Bernskoetter, with SCS
SB 548-Hegeman	SB 665-Burlison
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 674-Brown
SB 558-Schatz, with SCS	SBs 675 & 705-Luetkemeyer, with SCS
SB 559-Schatz, with SCS	SB 677-Luetkemeyer
SB 568-Hoskins, with SCS	SB 690-Cunningham
SB 572-Rowden	SB 696-Sifton
SB 575-Eigel, with SS#2 & SA 2 (pending)	SB 699-Riddle, with SCS
SB 576-Crawford, with SCS	SB 701-Onder
SB 581-Cierpiot, with SCS	SB 703-Hoskins, with SCS
SB 583-Arthur, with SCS	SB 704-Hoskins, with SS & SA 5 (pending)
SB 586-Bernskoetter, with SCS	SB 714-Burlison, with SCS
SB 590-Burlison, with SCS	SB 716-Burlison
SB 592-White	SB 739-Onder, with SCS
SB 595-Hough, with SCS	SB 748-White
SBs 602, 778 & 561-Luetkemeyer, with SCS	SB 756-Sifton, with SCS
SB 605-O'Laughlin, with SCS	SB 764-Onder, with SCS
SB 608-May, with SCS	SB 768-Onder, with SCS
SB 612-Emery, with SCS	SB 779-Crawford
SB 613-Emery, with SCS	SB 780-Hough, with SCS
SB 615-Cunningham	SB 784-Wallingford
	SB 797-Wieland, with SCS
	SB 802-Hegeman

SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater

SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

SS for HCS for HB 2046 (Bernskoetter)
(In Fiscal Oversight)

CONSENT CALENDAR

Senate Bills

Reported 3/12

SB 831-Cunningham
SB 913-Emery
SB 852-Hegeman, with SCS

SB 782-Brown
SB 867-Brown, with SCS
SB 620-Wallingford

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

✓

Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIFTH DAY—WEDNESDAY, APRIL 29, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“For mortals it is impossible, but for God all things are possible.” (Matthew 19:26)

We know, O Lord that we are finite and a limited people in so much of life but with Your help all things are possible. So we pray for all those who seek a cure and vaccine for this world so we may be protected by the wisdom You provide. We pray for our Governor that his decisions are made through Your guidance. And we pray for those in the health profession who minister to the sick and dying that Your healing power may be made known and present. And we pray for this body as it discerns the very necessary decisions that are called forth from them at this time. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

On motion of Senator Rowden, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2002**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2003**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HS** for **HCS** for **HB 2004**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2005**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2006**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2007**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period

beginning July 1, 2020 and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2008**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2009**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2010**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2011**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HS** for **HCS** for **HB 2012**, entitled:

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Capitol Police Board, Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2013**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, with **SCS**, begs leave to report that it has considered the same and

recommends that the bill do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **HB 1383**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **HB 1467** and **HB 1934**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HB 1768** with SCS, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Eigel, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HB 1640**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred HCS for **HB 1655**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following report:

Mr. President: Your Committee on Local Government and Elections, to which was referred HCS for **HB 1854**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

HOUSE BILLS ON THIRD READING

At the request of Senator Bernskoetter, HCS for **HB 1711** was placed on the Informal Calendar.

HB 1450, **HB 1296**, HCS for **HB 1331** and HCS for **HB 1898**, with SCS was placed on the Informal Calendar.

HB 1768, introduced by Representative Riggs, with SCS, entitled:

An Act to repeal section 620.2451, RSMo, and to enact in lieu thereof one new section relating to rural broadband access funding.

Was taken up by Senator Hegeman.

SCS for **HB 1768**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1768

An Act to repeal sections 67.453, 67.1461, 67.1842, 67.1846, 392.020, 620.2451, and 620.2459, RSMo, and to enact in lieu thereof seven new sections relating to communications services.

Was taken up.

Senator Hegeman moved that **SCS** for **HB 1768** be adopted.

Senator Hegeman offered **SS** for **SCS** for **HB 1768**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1768

An Act to repeal sections 67.453, 67.1461, 67.1846, 67.5122, 392.020, 620.2451, and 620.2459, RSMo, and to enact in lieu thereof seven new sections relating to communications services.

Senator Hegeman moved that **SS** for **SCS** for **HB 1768** be adopted.

Senator Hegeman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1768, Page 12, Section 67.1846, Lines 14-19, by striking all of said lines and inserting in lieu thereof the following:

“2. A grandfathered political subdivision shall not charge an additional linear foot fee for use of its right-of-way to a qualified small local exchange telecommunications company as of December 31, 2019, as defined in section 386.020; provided that the small local exchange telecommunications company is providing internet access to customers only within the rural areas of the state.”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1768, Page 14, Section 620.2451, Line 28 of said page, by inserting immediately after said line the following:

“620.2456. 1. The department of economic development shall not award any grant to an otherwise eligible grant applicant where funding from the Connect America Fund has been awarded, where high-cost support from the federal Universal Service Fund has been received by rate of return carriers, or where any other federal funding has been awarded which did not require any matching-fund component, for any portion of the proposed project area, nor shall any grant money be used to serve any retail end user that already has access to wireline or fixed wireless broadband internet service of speeds of at least twenty-five megabits per-second download and three megabits per-second upload.

2. No grant awarded under sections 620.2450 to 620.2458, when combined with any federal, state, or local funds, shall fund more than fifty percent of the total cost of a project.

3. No single project shall be awarded grants under sections 620.2450 to 620.2458 whose cumulative

total exceeds five million dollars.

4. The department of economic development shall endeavor to award grants under sections 620.2450 to 620.2458 to qualified applicants in all regions of the state.

5. An award granted under sections 620.2450 to 620.2458 shall not:

(1) Require an open access network;

(2) Impose rates, terms, and conditions that differ from what a provider offers in other areas of its service area;

(3) Impose any rate, service, or any other type of regulation beyond speed requirements set forth in section 620.2451; or

(4) Impose an unreasonable time constraint on the time to build the service.

6. If a grant recipient fails to establish the speed requirements set forth in section 620.2451, then the grant recipient shall return all grant moneys to the department.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1768, Page 13, Section 67.5122, Line 9, by inserting after all of said line the following:

“71.1000. 1. Two or more municipalities may elect to form a broadband infrastructure improvement district for the delivery of broadband internet service to the residents of such municipality, which district shall be a body politic and corporate.

2. A municipality electing to form a district under this section shall submit to the eligible voters of each such municipality a proposition at an annual or special election of such municipality, in substantially the following form:

”Shall the municipality of enter into a broadband infrastructure improvement district to be known as?”

3. Additional municipalities may be admitted to the district in the manner provided in subsection 8 of this section.

4. A district created under this section shall have the power to contract with a broadband internet service provider to provide broadband internet service to the residents of the district.

5. A district may finance the provision or expansion of broadband internet service through grants, loans, bonds, or user fees.

6. A district shall not have the power to levy, assess, apportion, or collect any tax upon property within the district nor upon any of its members.

7. (1) The district governing board shall be composed of at least one representative from each

member, but in no case shall there be less than four representatives.

(2) Annually, on or before the last Monday in April commencing in the year following the effective date of the district's creation, the local governing body of each member shall appoint a representative to the district governing board for one-year terms. The local governing body of a member, by majority vote, may replace its appointed representative at any time.

(3) For the purpose of transacting business, the presence of representatives representing more than fifty percent of district members shall constitute a quorum. Any action adopted by a majority of the votes cast at a meeting of the governing board at which a quorum is present shall be the action of the board.

(4) Each district member's representative shall be entitled to cast one vote.

(5) Unless replaced as provided in subdivision (2) of this subsection, a representative on the governing board shall hold office until his or her successor is duly appointed. Any representative may be reappointed to successive terms without limit.

(6) Any vacancy on the board shall be filled within thirty days after such vacancy occurs by appointment of the local governing body which appointed the representative whose position has become vacant. An appointee to a vacancy shall serve until the expiration of the term of the representative whose position to the appointment was made and may thereafter be reappointed.

(7) Each district member may reimburse its representative to the governing board for expenses as it determines reasonable.

(8) (a) The officers of the district shall be the chair and the vice chair of the board, the clerk of the district, and the treasurer of the district.

(b) The chair shall preside at all meetings of the board and shall make and sign all contracts on behalf of the district upon approval by the board. The chair shall perform all duties incident to the position and office.

(c) During the absence of or inability of the chair to render or perform his or her duties or exercise his or her powers, the same shall be performed and exercised by the vice chair and when so acting, the vice chair shall have all the powers and be subject to all the responsibilities hereby given to or imposed upon the chair.

(d) During the absence or inability of the vice chair to render or perform his or her duties or exercise his or her powers, the board shall elect from among its membership an acting vice chair who shall have the powers and be subject to all the responsibilities hereby given or imposed upon the vice chair.

(e) Upon the death, disability, resignation, or removal of the chair or vice chair, the board shall elect a successor to such vacant office until the next annual meeting.

(9) The board shall adopt bylaws for the regulation of its affairs and the conduct of its business.

8. The board may authorize the inclusion of additional district members in the broadband infrastructure improvement district upon such terms and conditions as in the board's sole discretion shall deem to be fair, reasonable, and in the best interests of the district. The local governing body of

any nonmember municipality which desires to be admitted to the district shall make application for admission to the board. The board shall determine the financial, economic, governance, and operational effects that are likely to occur if such municipality is admitted and thereafter either grant or deny authority for admission of the petitioning municipality. If the board grants such authority, it shall also specify any terms and conditions, including financial obligations, upon which such admission is predicated. Upon resolution of the board, such applicant municipality shall become a district member.

9. A district member may withdraw from the district in the same manner as the vote for admission to the district set forth in subsection 8 of this section.

10. Dissolution of a broadband infrastructure improvement district created pursuant to this section shall follow the procedures established in sections 67.950 and 67.955.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman moved that **SS** for **SCS** for **HB 1768**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **HB 1768**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Luetkemeyer moved that **HB 1450**, introduced by Representative Schroer, **HB 1296**, introduced by Representative Dinkins, **HCS** for **HB 1331**, and **HCS** for **HB 1898**, with **SCS** be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

HB 1450, introduced by Representative Schroer, **HB 1296**, introduced by Representative Dinkins, **HCS** for **HB 1331**, and **HCS** for **HB 1898**, with **SCS**, entitled:

An Act to repeal sections 579.065 and 579.068, RSMo, and to enact in lieu thereof two new sections

relating to controlled substance offenses, with penalty provisions.

An Act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to the offense of possession of unlawful items in a prison or jail, with penalty provisions.

An Act to amend chapter 550, RSMo, by adding thereto one new section relating to change of venue costs for capital cases.

An Act to amend chapters 217, 577, and 632, RSMo, by adding thereto three new sections relating to unmanned aircraft, with penalty provisions.

Was taken up by Senator Luetkemeyer.

SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1450
HOUSE BILL NO. 1296
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1331 AND
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1898

An Act to repeal sections 221.111, 544.170, 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423, 578.425, 579.065, 579.068, and 650.055, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-six new sections relating to criminal law, with penalty provisions.

Was taken up.

Senator Luetkemeyer moved that **SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898** be adopted.

Senator Luetkemeyer offered **SS for SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1450
HOUSE BILL NO. 1296
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1331 AND
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1898

An Act to repeal sections 221.111, 544.170, 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423, 578.425, 579.065, 579.068, and 650.055, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-five new sections relating to criminal law, with penalty provisions.

Senator Luetkemeyer moved that SS for SCS for **HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898** be adopted.

Senator May offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1450, House Bill No. 1296, House Committee Substitute for House Bill No. 1331 and House Committee Substitute for House Bill No. 1898, Page 51, Section 579.068, Line 26 of said page, by inserting immediately after said line the following:

“590.650. 1. The provisions of this section shall be known and may be cited as the “Fourth Amendment Affirmation Act”. As used in this section [”minority group” means individuals of African, Hispanic, Native American or Asian descent] the following terms mean:

(1) “Benchmark”, the number used as a basis of comparison in determining possible disproportions in law enforcement activities, including the following:

(a) The benchmark for measuring disproportions in vehicle stops shall be the proportions of drivers in racial or ethnic groups residing or traveling in a jurisdiction;

(b) The benchmark for measuring disproportions in post-stop activities shall be the racial or ethnic group’s proportion of stops; and

(c) The benchmark used to measure disproportions in hit rates shall be the group proportions of drivers searched;

(2) “Consent search”, a search authorized by the consent of the individual, not by probable cause;

(3) “Discriminatory policing”, circumstances in which the peace officer’s actions are based in whole or in part on the real or perceived race, ethnicity, religious beliefs, gender, English language proficiency, status as a person with a disability, or a person’s national origin rather than upon specific and articulable facts which, taken together with rational inferences from those facts, reasonably indicate criminal activity. “Discriminatory policing” does not include investigations of alleged crimes when law enforcement must seek out suspects who match a specifically delineated description;

(4) “Hit rate”, the rate of searches in which contraband is found. The hit rate is calculated by dividing the number of searches that yield contraband by the total number of searches. Hit rate may be calculated for individual officers, agencies, or multiple agencies;

(5) “Investigative stop”, any stop, by a peace officer, of a motor vehicle involving at least in part an investigation of a criminal violation other than a motor vehicle violation. Investigative stops can involve calls for service, stops conducted in support of an agency investigation, stops conducted because of a peace officer’s observations, stops made at a sobriety checkpoint or other road block, or other investigatory stops;

(6) “Minority group”, individuals of African, Hispanic, Native American, or Asian descent;

(7) “Ratio of disparity”, the ratio of the rate of stops or other peace officer activities for a non-white group as compared to the rate for the white group. The ratio of disparity for the white group shall be the white group rate compared to the rate for non-white groups;

(8) “Significant disparity”, a ratio of disparity that is over one hundred twenty-five percent of the overall state disparity for any minority group for that category of officer activity after controlling for

factors other than discrimination that are contributing to the disparity;

(9) “Significant disproportion”, a ratio of disparity that is over one hundred twenty-five percent of the overall state ratio of disparity for any minority group for that category of peace officer activity.

2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report **at least** the following information to the law enforcement agency that employs the officer:

(1) The age, gender and race or minority group of the individual stopped;

(2) Whether the driver resides in the jurisdiction of the stop;

(3) The reasons for the stop. Reasons for an investigative stop include, but are not limited to, calls for service, stops conducted in support of an agency investigation, stops conducted because of a peace officer’s observations, and stops made at a sobriety checkpoint or other road block;

[(3)] **(4) Whether a search was conducted as a result of the stop;**

[(4)] **(5) If a search was conducted, whether the individual consented to the search, how the individual’s consent was documented,** the probable cause for the search, whether the person was searched, whether the person’s property was searched, and the duration of the search;

[(5)] **(6) Whether any contraband was discovered in the course of the search and the type of any contraband discovered;**

[(6)] **(7) Whether any warning or citation was issued as a result of the stop;**

[(7)] **(8) If a warning or citation was issued, the violation charged or warning provided;**

[(8)] **(9) Whether an arrest was made as a result of either the stop or the search;**

[(9)] **(10) If an arrest was made, the crime charged; and**

[(10)] **(11) The location of the stop.**

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report. **The attorney general may allow the department of public safety to extract the data from other reports filed by law enforcement agencies.**

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) The report shall identify situations in which data submitted by agencies indicate that racial and ethnic groups are disproportionately affected by law enforcement activity so that further analysis may be conducted to determine whether peace officers are engaging in discriminatory policing.

(3) The report shall provide group ratios of disparity for all categories of stops, post-stop activities, searches, and contraband found, using appropriate benchmarks as defined in subsection 1 of this section.

(4) The report of the attorney general shall include at least the following information for each agency and for the state overall:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) [A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises] **Ratios of disparity for all categories of stops, post-stop activities, searches, and contraband using appropriate benchmarks as defined in subsection 1 of this section;** and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. (1) Each law enforcement agency shall adopt a policy on [race-based traffic stops] discriminatory policing that:

[(1)] (a) Prohibits [the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law] discriminatory policing;

[(2)] (b) Provides for [periodic] annual reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

[(a)] a. Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

[(b)] b. If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency [routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and] engaged in discriminatory policing;

c. Include a review of complaints received by the law enforcement agency and a breakdown of which complaints were verified, found to be unfounded, remain active, and what steps were taken to address verified complaints. The review of complaints shall indicate the number of complaints alleging discriminatory policing that a law enforcement agency received; and

d. The results of the review shall be made public, however, no personnel information prohibited by law shall be disclosed; and

[(3)] (c) Provides for appropriate discipline, up to and including dismissal, counseling, and training of any peace officer found to have engaged in [race-based traffic stops] discriminatory policing within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, **cultural competency**, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

(2) Each policy shall be in writing and accessible by the public. The attorney general shall certify that the discriminatory policing policy of each agency is substantially equivalent to the requirements of this subsection.

(3) Each policy shall put in place procedures to eliminate discriminatory policing.

6. When a motor vehicle has been stopped solely for a traffic violation, a peace officer shall request only the following documentation from only the driver of the motor vehicle:

(1) A driver's license or other verifiable government-issued identification, including foreign-issued identification;

(2) Motor vehicle registration; and

(3) Proof of insurance.

7. Each law enforcement agency shall establish policies to eliminate discriminatory policing in the administration of consent searches. The procedures shall include the following:

(1) A peace officer shall have specific and articulable facts about the individual that, taken together with rational inferences from those facts, lead the peace officer to reasonably believe a search is needed;

(2) The peace officer shall document, in writing, such specific articulable facts about the circumstances leading to the request for consent in individual searches and if multiple searches take place under the same circumstances at or near the same time;

(3) Prior to requesting consent for a search, a peace officer shall communicate orally or in writing, in a language that the person being questioned clearly understands, that the person's consent must be voluntary, that the voluntary consent authorizes the search even if the peace officer does not have probable cause to search, that the lawfulness of the search cannot be challenged in court if consent is given, and that the person has the right to refuse the request to search;

(4) After providing such advisement, a peace officer shall obtain voluntary written or recorded audio or video consent to the search;

(5) The peace officer shall document whether the person from whom the search was requested provided written consent, if that consent was recorded by audio or video, or whether consent was denied, and the law enforcement agency will submit this data for compilation in the attorney general's vehicle stop report;

(6) The peace officer shall not ask for consent when he or she has probable cause to conduct a search;

(7) Any evidence obtained as a result of a search prohibited by this section shall be inadmissible in any judicial proceeding; and

(8) Nothing contained in this subsection shall be construed to preclude a search based upon probable cause.

8. (1) If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

(2) If a law enforcement agency reports for three consecutive years a significant disproportion,

the attorney general shall study the efforts of the law enforcement agency to decrease its disproportion during the prior three years. If the attorney general determines that a significant disparity exists, the agency shall be subject to review for a period of three additional years.

(3) If, in its second year of review, a law enforcement agency reports a significant disproportion, and the attorney general's study determines that a significant disparity exists, and the law enforcement agency cannot show good-faith efforts, as determined by the attorney general, to remedy the disparity, the attorney general shall require changes in the agency's policies and practices, including techniques for identifying problem officers, requirements that an officer's ratios of disparity along with any mitigating circumstances be a part of the record used to evaluate promotions and reassignments, training of supervisors in the skills necessary to eliminate discriminatory policing, and increasing the quality and quantity of officer training related to discriminatory policing. The attorney general's office shall work with other state agencies to provide financial assistance and expertise to facilitate these changes.

(4) If, in its third year of review, a law enforcement agency reports a significant disproportion and the attorney general's study determines a significant disparity exists, the attorney general shall also study the record of the law enforcement agency during the review period to determine if the disparities are of such magnitude that the law enforcement agency should be further penalized. The attorney general shall take into account whether the agency is making a good-faith effort to achieve nondiscriminatory policing. As a minimum penalty, the agency shall remain under review, with ongoing attorney general oversight, until such time as the agency's annual report shows that a significant disparity no longer exists or until such time as the attorney general's study determines that discriminatory policing is no longer a significant cause of the disparity. As a maximum penalty, or after six years of review, the attorney general shall order that the governing body or jurisdiction that the law enforcement agency serves be required, from that point forward, to forfeit twenty-five percent of its annual general operating revenue received from fines, bond forfeitures, and court costs for traffic violations, including amended charges for any traffic violations. The forfeited amount shall be paid to the general revenue fund of the state of Missouri, to be designated as additional funds for the peace officers standards and training commission. This penalty shall continue until such time as the law enforcement agency's annual report shows that a significant disparity no longer exists or until such time as the attorney general's study determines discriminatory policing is no longer a significant cause of the disparity.

[7.] 9. Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone **or to purchase body cameras.**

[8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.]"; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Nasheed requested a roll call vote be taken. She was joined in her request by Senators May, Luetkemeyer, Rizzo and Williams.

President Pro Tem Schatz assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Luetkemeyer, **HB 1450**, **HB 1296**, **HCS for HB 1331** and **HCS for HB 1898**, with **SCS**, **SS for SCS** and **SA 1** (pending), was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 739**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for SB 739, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 739

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

Was taken up.

Senator Onder moved that **SCS for SB 739** be adopted, which motion prevailed.

On motion of Senator Onder **SCS for SB 739** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for HB 1711, entitled:

An Act to repeal section 537.115, RSMo, and to enact in lieu thereof one new section relating to donated food.

Was taken up by Senator Bernskoetter.

On motion of Senator Bernskoetter, **HCS for HB 1711** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators Nasheed—1

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

SB 831, introduced by Senator Cunningham, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof one new section relating to meetings of the board of public buildings.

Was called from the Consent Calendar and taken up.

On motion of Senator Cunningham, **SB 831** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senators

Cierpiot Riddle—2

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 913, introduced by Senator Emery, entitled:

An Act to repeal section 537.033, RSMo, and to enact in lieu thereof one new section relating to the peer review process for design professionals.

Was called from the Consent Calendar and taken up.

On motion of Senator Emery, **SB 913** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White

Wieland Williams—30

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 852, introduced by Senator Hegeman, with **SCS**, entitled:

An Act to repeal section 351.030, RSMo, and to enact in lieu thereof one new section relating to certain corporations supplying telephone and telecommunications services.

Was called from the Consent Calendar and taken up.

SCS for **SB 852**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 852

An Act to repeal section 392.020, RSMo, and to enact in lieu thereof one new section relating to certain corporations supplying telephone and telecommunications services.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 852** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **SB 852** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 782, introduced by Senator Brown, entitled:

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to boating safety identification cards.

Was called from the Consent Calendar and taken up.

On motion of Senator Brown, **SB 782** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 867, introduced by Senator Brown, with **SCS**, entitled:

An Act to repeal section 301.3174, RSMo, and to enact in lieu thereof one new section relating to special license plates.

Was called from the Consent Calendar and taken up.

SCS for **SB 867**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 867

An Act to repeal section 301.3174, RSMo, and to enact in lieu thereof one new section relating to special license plates.

Was taken up.

Senator Brown moved that **SCS** for **SB 867** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 867** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SB 620, introduced by Senator Wallingford, entitled:

An Act to repeal section 36.020, RSMo, and to enact in lieu thereof one new section relating to surviving spouses.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 620** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Luetkemeyer moved that **HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898**, with **SCS, SS for SCS and SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Luetkemeyer, **SS for SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898** was withdrawn, rendering **SA 1** moot.

Senator Luetkemeyer offered **SS No. 2 for SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1450
HOUSE BILL NO. 1296
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1331 AND
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1898

An Act to repeal sections 544.170, 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423, 578.425, 579.065, 579.068, and 650.055, RSMo, and to enact in lieu thereof twenty-two new sections relating to criminal law, with penalty provisions.

Senator Luetkemeyer moved that **SS No. 2 for SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898** be adopted.

Senator White offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1450, House Bill No. 1296, House Committee Substitute for House Bill No. 1331 and House Committee Substitute for House Bill No. 1898, Page 7, Section 545.140, Line 28 of said page, by inserting after all of said line the following:

“550.010. Whenever any person shall be convicted of any crime or misdemeanor he shall be adjudged to pay the costs, and no costs incurred on his part, except fees for the cost of incarceration, including a reasonable sum to cover occupancy costs, shall be paid by the state or county. **Any costs that are the responsibility of the defendant to pay may be collected as court costs and disbursed to the state or county under the provisions of sections 488.010 to 488.020.**

550.030. When the defendant is sentenced to imprisonment in the county jail, or to pay a fine, or both, and is unable to pay the costs, the county in which the indictment was found or information filed shall pay the costs, except such as were incurred on the part of the defendant. **Any costs that are the responsibility of the defendant to pay may be collected as court costs and disbursed to the county under the provisions of sections 488.010 to 488.020.**”; and

Further amend the title and enacting clause accordingly.

Senator White moved that the above amendment be adopted, which motion prevailed.

Senator Luetkemeyer moved that **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended, be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Onder	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senators

May Nasheed—2

Absent—Senators

Hoskins Riddle—2

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 739**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **HB 1640**; **HCS** for **HB 1655**, with **SCS**; **HCS** for **HB 1854**, with **SCS** and **HB 1383**, with **SCS** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator May offered Senate Resolution No. 1413, regarding the death of Ellen Todd, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1414, regarding Dent County Deputy Sheriff Mikol Skaggs, Salem, which was adopted.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SIXTH DAY—THURSDAY, APRIL 30, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O’Laughlin	SB 1082-Bernskoetter
SB 1064-O’Laughlin	SB 1083-Brown
SB 1065-O’Laughlin	SB 1084-Brown
SB 1066-O’Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 2001	HS for HCS for HB 2008
HS for HCS for HB 2002	HS for HCS for HB 2009
HS for HCS for HB 2003	HS for HCS for HB 2010
HS for HCS for HB 2004	HS for HCS for HB 2011
HS for HCS for HB 2005	HS for HCS for HB 2012
HS for HCS for HB 2006	HCS for HB 2013
HS for HCS for HB 2007	

THIRD READING OF SENATE BILLS

SCS for SB 578-Crawford (In Fiscal Oversight)

SCS for SB 739-Onder

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Rizzo)
(In Fiscal Oversight)

HB 1467 & HB 1934-Pike, with SCS (Onder)

HB 1640-Taylor (Bernskoetter)
(In Fiscal Oversight)

HCS for HB 1655, with SCS (Crawford)
(In Fiscal Oversight)

HCS for HB 1854, with SCS (Hoskins)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1
(pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)

SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)

SB 649-Eigel	SB 768-Onder, with SCS
SB 661-Bernskoetter, with SCS	SB 779-Crawford
SB 665-Burlison	SB 780-Hough, with SCS
SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)	SB 784-Wallingford
SB 674-Brown	SB 797-Wieland, with SCS
SBs 675 & 705-Luetkemeyer, with SCS	SB 802-Hegeman
SB 677-Luetkemeyer	SB 809-Brown, with SCS
SB 690-Cunningham	SB 857-Luetkemeyer, with SCS
SB 696-Sifton	SB 885-Walsh
SB 699-Riddle, with SCS	SB 896-Eigel
SB 701-Onder	SB 996-Onder, with SCS
SB 703-Hoskins, with SCS	SJR 31-Sater
SB 704-Hoskins, with SS & SA 5 (pending)	SJR 32-Sater
SB 714-Burlison, with SCS	SJR 33-Emery, with SCS
SB 716-Burlison	SJR 40-Koenig
SB 748-White	SJR 44-Eigel
SB 756-Sifton, with SCS	SJR 48, 41 & 43-Luetkemeyer, with SCS
SB 764-Onder, with SCS	SJR 59-Eigel
	SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

SS for HCS for HB 2046 (Bernskoetter)
(In Fiscal Oversight)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer	SCR 33-May
SCR 29-Wallingford	SCR 34-Hoskins
SCR 30-Schupp	SCR 35-Hoskins
SCR 31-Emery	

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SIXTH DAY—THURSDAY, APRIL 30, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Yet, O Lord, you are our Father; we are the clay, and you are our potter; and we are the work of your hand.” (Isaiah 64:8)

Merciful God, we know it takes courage to put ourselves on the line and provide opportunities for healing to take place. Give us all the energy needed to reach out in this darkness of Covid 19 and do what each of us must do to provide that healing. May each of us be a voice calling out for common sense as stricken communities and join together asking for Your healing by those You have given the gift of being healers in this wounded world. Bless all You have called forth to do the essential work that is truly needed as we approach a time to move positively forward in this world aware of the opportunity to improve what is made new before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—3

The Lieutenant Governor was present.

SENATE BILLS FOR PERFECTION

Senator Hoskins moved that **SB 704**, with **SS** and **SA 5** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 5 was again taken up.

At the request of Senator Hoskins, **SS** for **SB 704**, was withdrawn, rendering **SA 5** moot.

Senator Hoskins offered **SS No. 2** for **SB 704**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 704**

An Act to repeal sections 67.730, 67.1360, 94.838, 94.900, 94.902, 99.805, 99.810, 99.825, 99.843, 105.145, 135.550, 137.115, 137.180, 137.275, 137.355, 137.385, 138.060, 138.090, 138.434, 143.121, 143.171, 143.991, 144.757, 205.202, 321.552, 326.289, 347.179, 347.183, 358.460, and 358.470, RSMo, and to enact in lieu thereof thirty-eight new sections relating to taxation, with penalty provisions.

Senator Hoskins moved that **SS No. 2** for **SB 704** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 704, Page 62, Section 105.145, Line 7 of said page, by inserting after all of said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2020] **2026**. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year. There shall be no tax credits authorized under sections 135.300 to 135.311 unless an appropriation is made for such tax credits.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Bill No. 704, Page 154, Section 358.470, Line 26, by inserting after all of said line the following:

“620.2005. 1. As used in sections 620.2000 to 620.2010, the following terms mean:

(1) “Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) “Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;

(3) “Contractor”, a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely performed job duties within Missouri;

(9) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(10) “Industrial development authority”, an industrial development authority organized under chapter 349 that has entered into a formal written memorandum of understanding with an entity of the United States Department of Defense regarding a qualified military project;

(11) “Infrastructure projects”, highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;

(12) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified

company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(13) “Manufacturing capital investment”, expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) “Memorandum of understanding”, an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

a. The maximum amount of tax credits authorized; or

b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(18) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(19) “New payroll”, the amount of wages paid for all new jobs, located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(20) “New product”, a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

(21) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program. The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(23) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(24) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term “project facility” means the military base or installation at which such qualified military project is or shall be located;

(25) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) “Project facility base payroll”, the annualized payroll for the project facility base employment or

the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

- (k) Biodiesel production; or
- (l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(30) “Qualified manufacturing company”, a company that:

- (a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);
- (b) Manufactures goods at a facility in Missouri;

(c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) “Qualified military project”, the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more **part-time or full-time** military or civilian support personnel:

- a. Whose average salaries equal or exceed ninety percent of the county average wage; and
- b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit;

(32) “Related company”, shall mean:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(35) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from

the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection or a qualified manufacturing company under subsection 3 of this section, the department shall consider the following factors:

- (1) The significance of the qualified company's need for program benefits;
- (2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;
- (3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;
- (4) The financial stability and creditworthiness of the qualified company;
- (5) The level of economic distress in the area;
- (6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and
- (7) The percent of local incentives committed.

3. (1) The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars not more than three years following the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the department's approval of the original notice of intent.

(2) The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

(3) If, at the project facility at any time during the project period, the qualified manufacturing company discontinues the manufacturing of the new product, or discontinues the modification or expansion of an existing product, and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product, the company shall immediately cease receiving any benefit awarded under this subsection for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this subsection for the remainder of such period.

(4) Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital improvement that qualified for

benefits under this section. The provisions of subsection 5 of section 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this section.

4. Upon approval of a notice of intent to receive tax credits under subsection 2, 3, 6, or 7 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment, or the manufacturing capital investment and committed percentage of retained jobs for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department;

(4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under subsection 7 of this section; and

(5) Any other provisions the department may require.

5. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

6. In addition to the benefits available under subsection 5 of this section, the department may award a qualified company that satisfies the provisions of subsection 5 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year.

The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

7. In lieu of the benefits available under subsections 1, 2, 5, and 6 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs and new capital investment created by the program, the department may award a qualified company that satisfies the provisions of subdivision (1) of subsection 1 of this section tax credits, issued within one year following the qualified company's acceptance of the department's proposal for benefits, in an amount equal to or less than nine percent of new payroll. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section and the qualified company's commitment to new capital investment and new job creation within the state for a period of not less than ten years. For the purposes of this subsection, each qualified company shall have an average wage of the new payroll that equals or exceeds one hundred percent of the county average wage. Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall expire on June 30, 2025.

8. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment or manufacturing capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first.

9. In lieu of any other benefits under this chapter, the department of economic development may award a tax credit to an industrial development authority for a qualified military project in an amount equal to the estimated withholding taxes associated with the **part-time and full-time** civilian and military new jobs located at the facility and directly impacted by the project. The amount of the tax credit shall be calculated by multiplying:

(1) The average percentage of tax withheld, as provided by the department of revenue to the department of economic development;

(2) The average salaries of the jobs directly created by the qualified military project; and

(3) The number of jobs directly created by the qualified military project.

If the amount of the tax credit represents the least amount necessary to accomplish the qualified military project, the tax credits may be issued, but no tax credits shall be issued for a term longer than fifteen years. No qualified military project shall be eligible for tax credits under this subsection unless the department of economic development determines the qualified military project shall achieve a net positive fiscal impact to the state.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

At the request of Senator Hoskins, **SB 704**, with **SS No. 2** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SCS** for **SB 578**; **HCS** for **HB 2046**, with **SCS**; **HCS** for **HB 1854**, with **SCS**; **HCS** for **HB 1655**, with **SCS**; **HB 1640**, with **SCS**; and **HB 1383**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

President Pro Tem Schatz assumed the Chair.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1414**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1682**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1683**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **HCS** for **HB 2049**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1963**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS No. 2** for **HB 1896**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hoskins, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 1559**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1700**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1330**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Hoskins moved that **SB 704**, with **SS No. 2** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Hoskins moved that **SS No. 2** for **SB 704**, as amended, be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS No. 2** for **SB 704**, as amended, was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SCS for **SB 578**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 578

An Act to repeal sections 367.031, 486.200, 486.205, 486.210, 486.215, 486.220, 486.225, 486.230, 486.235, 486.240, 486.245, 486.250, 486.255, 486.260, 486.265, 486.270, 486.275, 486.280, 486.285, 486.290, 486.295, 486.300, 486.305, 486.310, 486.315, 486.320, 486.325, 486.330, 486.335, 486.340, 486.345, 486.350, 486.355, 486.360, 486.365, 486.370, 486.375, 486.380, 486.385, 486.390, 486.395, 486.396, and 486.405, RSMo, and to enact in lieu thereof ninety-eight new sections relating to certification of documents, with penalty provisions.

Was taken up by Senator Crawford.

On motion of Senator Crawford, **SCS** for **SB 578** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senators

Brown	Cunningham—2
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Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Crawford, title to the bill was agreed to.

Senator Crawford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SCS for SB 739, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 739

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

Was taken up by Senator Onder.

On motion of Senator Onder, **SCS for SB 739** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senator May—1

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2001—Appropriations.

HS for HCS for HB 2002—Appropriations.

HS for HCS for HB 2003—Appropriations.

HS for HCS for HB 2004—Appropriations.

HS for HCS for HB 2005—Appropriations.

HS for HCS for HB 2006—Appropriations.

HS for HCS for HB 2007—Appropriations.

HS for HCS for HB 2008—Appropriations.

HS for HCS for HB 2009—Appropriations.

HS for HCS for HB 2010—Appropriations.

HS for HCS for HB 2011—Appropriations.

HS for HCS for HB 2012—Appropriations.

HCS for HB 2013—Appropriations.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Neal A. Farrar and Lindell Lindsey, as members of the Well Installation Board;

Also,

Paul Fitzwater, Republican, as a member of the Board of Probation and Parole;

Also,

Jonathan Hayashi, Republican, as a member of the Missouri Commission on Human Rights;
and

Dr. Kenneth F. Scott, Jr. and Jason T. White, as members of the Missouri 911 Service Board.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above reappointments, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Rizzo, **HB 1383**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **HB 1467** and **HB 1934**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Bernskoetter, **HB 1640** was placed on the Informal Calendar.

At the request of Senator Crawford, **HCS** for **HB 1655**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1854**, with **SCS**, entitled:

An Act to repeal section 105.145, RSMo, and to enact in lieu thereof one new section relating to political subdivisions filing annual financial reports with the state auditor, with penalty provisions.

Was taken up by Senator Hoskins.

SCS for **HCS** for **HB 1854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1854

An Act to repeal sections 29.230, 50.166, 50.327, 54.140, 59.021, 59.100, 64.805, 105.145, 144.757, 321.015, 321.190, 321.300, 321.603, and 610.021, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-six new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Hoskins moved that **SCS** for **HCS** for **HB 1854** be adopted.

Senator Hoskins offered **SS** for **SCS** for **HCS** for **HB 1854**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1854

An Act to repeal sections 29.230, 36.155, 50.166, 50.327, 54.140, 59.021, 59.100, 64.805, 67.1545, 105.145, 115.127, 115.646, 137.180, 138.434, 144.757, 238.207, 238.235, 238.237, 321.015, 321.190, 321.300, 321.603, and 610.021, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof thirty-six new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Hoskins moved that **SS** for **SCS** for **HCS** for **HB 1854** be adopted.

President Pro Tem Schatz assumed the Chair.

Senator Luetkemeyer offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 89, Section 610.021, Line 22, of said page, by inserting immediately after said line the following:

“Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri, including all possibilities of reverter or reversionary interests, in property located in St. Francois County, Missouri. The property to be conveyed is more particularly described as follows:

Parcel 1: All of that part of Lots 89 and 92 of F. W. Rohland’s Subdivision of U. S. Survey No. 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, lying East of the City of Farmington Treatment Plant, North of the Treatment Plant access road, and West of property under private ownership. Containing approximately 46.17 acres, more or less.

Also a tract of land situated in part of Lot 92 of F. W. Rohland’s Subdivision, U. S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri. Containing approximately 14.69 acres, more or less.

Parcel 2: Part of lots 84, 85, 86, 87, 93 and 96 of F.W. Rohland’s subdivision of U.S. Survey 2969, township 35 north, range 5 east, more particularly described as: Beginning at the northeast corner of a tract of land recorded in deed book 585 at page 734 of the land records of St. Francois county; thence along the north line of said tract north 86 degrees 15 minutes west, 800.96 feet to a point, said point being on the east right-of-way line of U.S. highway 67; thence along said right-of-way line north 03 degrees 45 seconds east, 1,554.90 feet to a point, thence leaving said right-of-way line south 82 degrees 17 minutes 10 seconds east, 2,953.41 feet to a stone at a fence corner; thence north 64 degrees 27 minutes 42 seconds east, 1,367.83 feet to a point; thence north 07 degrees 13 minutes east, 310.0 feet to a point; thence south 82 degrees 45 minutes east, 52.0 feet to a point on the west line of U.S. Survey 339; thence along said west line south 07 degrees 21 minutes 31 seconds west, 2,600.00 feet to a point; thence leaving said west line north 82 degrees 32 minutes 01 second west, 1,379.12 feet to a point; thence in a straight line in a westerly direction to a point on the east line of a tract of land recorded in deed book 585 at page 734, said point being located south 03 degrees 44 minutes 23 seconds west, 55.00 feet from the northeast corner of said tract; thence along the east line of said tract north 03 degrees 44 minutes 23 seconds east, 55.00 feet to the point of beginning, containing 156.35 acres, more or less.

Parcel 3: All that part of Lots 77, 79, 96, 97, 98, 99, 100, 101, and 102 of R. W. Rohland’s Subdivision of U. S. Survey No. 2969 now owned by the State of Missouri for State Hospital No. 4, and lying West of the West right-of-way line of U. S. Highway 67 and containing 165 acres, more or less, and more particularly described as follows:

A part of Lots Seventy-seven (77), Seventy-nine (79), Ninety-six (96), Ninety-seven (97), Ninety-eight (98), Ninety-nine (99), One Hundred (100), One Hundred and One (101) and One Hundred and Two (102) of F. W. Rohland's Subdivision of U. S. Survey No. 2969, as recorded in Volume "F", Page 441, in the Recorder's Office of St. Francois County, Missouri, all being part of Township 35 North, Range 5 East, in St. Francois County, Missouri and being more particularly described as follows: Beginning at a stone being the Northeast corner of Lot No. 100 of said F. W. Rohland's Subdivision of U. S. Survey No. 2969; thence S. 7° 17' 20" West along the East line of Lot #100 of said Rohland's Subdivision, 1561.64 feet to the Southeast corner of said Lot #100; thence South 82° 17' 10" East along the North line of Lot #96 of said Rohland's Subdivision, 272.28 feet to the Westerly line of Missouri State Route 67; thence South 3° 45' 00" West along the Westerly line of Missouri State Route 67, 2001.07 feet to a point on the centerline of the abandoned Missouri Pacific Railroad as per disclaimer deed in Book 698, Page 283 in the Recorder's Office of St. Francois County, Missouri; thence North 51° 46' 15" West along the centerline of said abandoned Missouri Pacific Railroad, 2946.80 feet; thence North 39° 01' 34" East 439.20 feet; thence South 50° 58' 26" East along a southerly line of the L.V. McGee Property, 50.0 feet; thence North 39° 01' 34" East along the easterly line of said L.V. McGee Property and the extension thereof 172.00 feet to the centerline of Second Street; thence easterly along the centerline of Second Street the following courses and distances; South 50° 58' 26" East 125.77 feet; thence South 78° 28' 15" East 161.12 feet; thence North 81° 03' 45" East 264.70 feet; thence North 69° 49' 45" East 104.00 feet; thence North 66° 45' 45" East 385.50 feet to a point on the easterly extension of the North line of Lots #48 and #49 of the Town of Delassus; thence leaving Second Street N. 51° 42' 15" West along said extension and the North line of Lots #48 and #49 of Delassus, 1602.80 feet to the Northwest corner of Lot #49 of Delassus; thence North 38° 15' 45" East along the westerly line of Lots "B" and "D" of Delassus, 578.94 feet to the North line of Lot #101 of said Rohland's Subdivision; thence South 82° 18' 14" East along the North line of said Lot #101, 557.52 feet to the Southwest corner of Lot #79 of said Rohland's Subdivision; thence North 6° 40' 05" East along the westerly line of said Lot #79, and the East line of a tract of land conveyed to Hues W. and Esther Pratt per deed of record in Book 260, Page 564, in the Recorder's Office of St. Francois County, Missouri, 986.85 feet to the northeasterly corner of said Pratt Tract; thence North 38° 24' 49" East 571.59 feet to the southerly line of Missouri State Rte. "W"; thence northeasterly along the southerly line of said Rte. "W", the following courses and distances North 66° 29' 30" East 190.16 feet; thence South 23° 30' 30" East 10.0 feet; thence North 66° 29' 30" East 99.33 feet; thence North 65° 32' 30" East 102.12 feet; thence South 24° 27' 30" East 20.0 feet; thence North 65° 32' 30" East 99.21 feet to the northwesterly corner of the Missouri State Highway Department maintenance tract; thence leaving said Rte. "W", South 24° 27' 30" East along the westerly line of said Highway Tract 606.30; thence North 65° 26' 55" East along the southerly line of said Highway Tract, 391.65 feet to the West line of Missouri State Rte. 67; thence South 4° 06' 20" East along the West line of said Rte. 67, 414.24 feet;

thence South 03° 45' 00" West 999.18 feet to the North line of Lot # 95 of said Rohland's Subdivision; thence North 81° 58' 50" West along the North line of Lot #95, 175.73 feet to the point of beginning, containing 168.49 acres, more or less. Legal description based upon a survey of State Hospital No. 4, Farmington, MO performed by Larry V. Brickly, Surveyor #1188 in August, 1979.

Parcel 4: A part of Lots 92, 93, 96 and 97 of F. W. Rohland's Subdivision of U. S. Survey No. 2969 as recorded in Volume "F", Page 441, in the Office of the Recorder of Deeds of St. Francois County, Missouri, all in s Township 35 North, Range 5 East of the Fifth Principal Meridian, St. Francois County, Missouri, and more particularly described as follows: Commencing at the Northeast corner of said Lot 97 at an existing iron railroad rail monument and running thence North 7 degrees 06' 23" East, 32.12 feet along the East line of said Lot 96 to a point of beginning; and running thence South 86 degrees 29' 00" East, 255.18 feet; thence South 3 degrees 31' 00" West, 1,091.40 feet; thence North 51 degrees 56' 46" West, 972.32 feet along the North right-of-way line of the Missouri Pacific Railroad; thence North 3 degrees 31' 00" East, 540.15 feet along the east right-of-way line of U. S. Highway No. 67; thence South 86 degrees 29' 00" East 545.78 feet to the point of beginning; said tract containing 15.000 acres.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, or convey an easement over, on, or under property located in St. Francois County, Missouri. The easement is more particularly described as follows:

Parcel 5: A permanent easement-for maintenance and construction . to be fifteen (15) feet in total width, with five (5) feet to the right or west of the following described centerline and ten (10) feet to the left or east of the following described centerline. And, a temporary easement for use during construction to be twenty-five (25) feet in total width, and to extend no more than twenty (20) feet on either side of the following described centerline: Commencing on the centerline of Missouri State Route "W" at the West line of Lot 63 of F. W. Rohland's Subdivision of said Survey No. 2969 and running thence South 65° 17' 55" West, 137.79 feet along the centerline of said Route "W"; thence South 15° 50' 50" East, 30.36 feet to a point of beginning on the South right-of-way line of said Route "W" and the North property line of the above described property; and running thence South 15° 50' 50" East, 192.61 feet, along said easement centerline; thence South 30° 30' 50" West, 870.31 feet; thence South 67° 45' 05" West, 247.08 feet; thence South 25° 31' 40" West, 1,873.38 feet; thence South 3° 31' 00" West 210.00 feet along a line parallel to and 215 feet easterly from the centerline of U. S. Highway No. 67, to a point of termination of said centerline on the south line of aforesaid Lot 80 and the south line of the above described property; aforesaid centerline being 3,393.38 feet

in length.

A permanent easement for maintenance and construction to be fifteen (15) feet in width, with five (5) feet to the right or west of the following described centerline and ten (10) feet to the left or east of the following described centerline. And, a temporary easement for use during construction to be twenty-five (25) feet in width, with five (5) feet to the right or west of the following described centerline and twenty (20) feet to the left or east of the following described centerline. Said centerline begins at a point on the north line of said Lot 96, which is South 86° 29' East, 130.00 feet from the centerline of U. S. Highway No. 67, and runs thence South 3° 31' 00" West, 1,554.39 feet parallel to the centerline of said Highway 67 to a point of termination, which is on the North line of a 15.000 acre tract. The West line of this easement strip is contiguous with the East right-of-way line of said Highway 67.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill and page, Section B, Line 26 of said page, by inserting immediately after “cycle” the following: “and because immediate action is necessary to convey certain state property, the enactment of sections 1 and 2 and”; and

Further amend said bill and section, page 90, line 2 of said page, by inserting immediately after “constitution,” the following: “and the enactment of sections 1 and 2”; and

Further amend the title and enacting clause accordingly.

Senator Luetkemeyer moved that the above amendment be adopted, which motion prevailed.

Senator Arthur offered **SA 2**, which was read:

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Pages 34-35, Section 115.646, by striking said section in its entirety; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Hough offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 20, Section 64.805, Line 2, of said page, by inserting immediately after said line the following:

“67.730. 1. Any county of the first [class] **classification or any county** having a charter form of

government, and containing [the major] a portion of a city with a population of over three hundred fifty thousand may, upon the vote of a majority of the qualified voters of the county voting thereon, issue and sell its negotiable interest-bearing revenue bonds for the purpose of paying all or part of the cost of any capital improvements project or projects designated by the governing body of the county. The bonds shall be retired from the proceeds of a countywide sales tax on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The sales tax to retire the revenue bonds shall be approved as a part of the proposal to issue the bonds submitted to the qualified voters of the county and may be imposed in addition to or in lieu of all and any other sales tax authorized by law to be imposed by the county.

2. The proposal to issue negotiable interest-bearing revenue bonds for the purpose of capital improvement projects and the imposition of a sales tax to pay the principal and interest on such bonds may be submitted by the governing body of the county to the voters of the county at a county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of _____ issue its negotiable interest-bearing revenue bonds in the total face amount of \$_____ payable in _____ years for the purpose of funding capital improvement projects in the county and impose a countywide sales tax at the rate of _____ to pay the principal and interest on such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the bonds may be issued by the county from time to time and in such amounts as may be necessary to carry out the county’s program of capital improvements, but not to exceed the total amount of bonds authorized by the vote of the qualified voters. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the county shall have no power to issue the revenue bonds or impose the sales tax authorized by sections 67.730 to 67.739 unless and until the governing body of the county shall again have submitted the proposal and such proposal is approved by a majority of the qualified voters voting thereon.

4. The governing body of any county authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:

(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and

(2) Include information on the county website on the tax rate and the purposes for which the tax is levied.

67.1011. 1. The governing body of any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the third classification with a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants may impose a tax as provided in this section.

2. The governing body of any city described under subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be no more than six percent per occupied room per night. The tax shall not become effective unless the governing body of the city submits to the voters of the city on a general election day not earlier than the 2022 general election a question to authorize the governing body of the city to impose the tax. The tax shall be in addition to the charge for the sleeping room and shall be in addition to any and all other taxes. The tax shall be stated separately from all other charges and taxes.

3. The question for the tax shall be in substantially the following form:

Shall _____ (city name) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (city name) at a rate of _____ percent?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting thereon.

4. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city's website on the tax rate and the purposes for which the tax is levied.

5. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three

thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt;

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; [or]

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; **or**

(38) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in more than one county.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to recreational boats that are used by transients for sleeping, which shall be at least two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

3. The governing body of any city or county authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:

(1) Submit the question of the imposition of the sales tax to the voters on a general election day

not earlier than the 2022 general election; and

(2) Include information on the city or county website on the tax rate and the purposes for which the tax is levied.”; and

Further amend said bill, Page 22, Section 67.1545, Line 26 of said page, by inserting after all of said line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one-quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, on a general election day not earlier than the 2022 general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

Shall _____ (name of county/city) impose a (countywide/citywide) sales tax at a rate of _____ (insert percentage) percent for the purpose of funding early childhood education in the (county/city)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city shall not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of revenue on behalf of any county or city, less one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund” and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from

the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and, notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.527 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.527 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.527 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit, exemption certificate, or retail certificate shall be required, except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.527 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.527.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall _____ (name of county/city) repeal the sales tax imposed at a rate of _____ (insert percentage) percent for the purpose of funding early childhood education in the (county/city)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and is approved by a majority

of the qualified voters voting thereon.

7. If the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition signed by at least ten percent of the registered voters of the county or city voting in the last gubernatorial election calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes; the county or city shall notify the director of revenue of the action at least thirty days before the effective date of the repeal; and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed from the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. The governing body of any city or county authorized to levy a sales tax pursuant to this section shall include information on the city's or county's website on the tax rate and the purposes for which the tax is levied.”; and

Further amend said bill, Page 23, Section 79.235, Line 25 of said page, by inserting after all of said line the following:

“94.838. 1. As used in this section, the following terms mean:

(1) “Food”, all articles commonly used for food or drink, including alcoholic beverages, the provisions of chapter 311 notwithstanding;

(2) “Food establishment”, any café, cafeteria, lunchroom, or restaurant which sells food at retail;

(3) “Municipality”, any village or fourth class city with more than two hundred but less than three hundred inhabitants and located in any county of the third classification with a township form of government and with more than twelve thousand five hundred but less than twelve thousand six hundred inhabitants;

(4) “Transient guest”, a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

2. The governing body of any municipality may impose, by order or ordinance:

(1) A tax, not to exceed six percent per room per night, on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the municipality or a portion thereof; and

(2) A tax, not to exceed [two] **six** percent, on the gross receipts derived from the retail sales of food by every person operating a food establishment in the municipality.

The taxes shall be imposed solely for [the purpose of funding the construction, maintenance, and operation of capital improvements] **general revenue purposes**. The order or ordinance shall not become effective unless the governing body of the municipality submits to the voters of the municipality at a state general or primary election a proposal to authorize the governing body of the municipality to impose taxes under this section. The taxes authorized in this section shall be in addition to the charge for the sleeping room, the retail sales of food at a food establishment, and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

3. The ballot of submission for the taxes authorized in this section shall be in substantially the following form:

Shall _____ (insert the name of the municipality) impose a tax on the charges for all retail sales of food at a food establishment situated in _____ (name of municipality) at a rate of _____ (insert rate of percent) percent, and for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (name of municipality) at a rate of _____ (insert rate of percent) percent, solely for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the taxes shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the taxes shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. Any tax on the retail sales of food imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, and any transient guest tax imposed under this section shall be administered, collected, enforced, and operated by the municipality imposing the tax. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Once the initial bonds, if any, have been satisfied, then the governing body of any municipality that has adopted the taxes authorized in this section may submit the question of repeal of the taxes to the voters

on any date available for elections for the municipality. The ballot of submission shall be in substantially the following form:

Shall _____ (insert the name of the municipality) repeal the taxes imposed at the rates of _____ (insert rate of percent) and _____ (insert rate of percent) percent for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Once the initial bonds, if any, have been satisfied, then, whenever the governing body of any municipality that has adopted the taxes authorized in this section receives a petition, signed by ten percent of the registered voters of the municipality voting in the last gubernatorial election, calling for an election to repeal the taxes imposed under this section, the governing body shall submit to the voters of the municipality a proposal to repeal the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. The governing body of any municipality authorized to levy a sales tax pursuant to this section shall:

(1) Submit the question of an increase in the rate of the sales tax to the voters on a general election day not earlier than the 2022 general election; and

(2) Include information on the municipality's website on the tax rate and the purposes for which the tax is levied.

94.842. 1. The governing body of any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be more than seven and one-half percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city on a general election day not earlier than the 2022 general election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. Such tax shall be stated separately from all other charges and taxes.

2. The question shall be submitted in substantially the following form:

Shall the _____ (city) levy a tax of _____ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for capital investments to increase tourism?

☐ **YES**

☐ **NO**

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

4. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city's website on the tax rate and the purposes for which the tax is levied.

5. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.

94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants;

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(d) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants;

(f) Any city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants;

(g) Any city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants;

(h) Any city of the fourth classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

(i) Any city of the third classification with more than thirteen thousand but fewer than fifteen thousand inhabitants and located in any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants; [or]

(j) Any city of the fourth classification with more than three thousand but fewer than three thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and that is not the county seat of such county;

(k) Any city of the fourth classification with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

(l) Any city of the fourth classification with more than eight thousand but fewer than twelve thousand inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants; or

(m) Any city of the fourth classification with more than four hundred fifty but fewer than five hundred inhabitants and located in any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city[,] including, but not limited to, expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of _____ (city's name) impose a citywide sales tax of _____ (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of [the department of] revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of [the department of] revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of [the department of] revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of [the department of] revenue may make refunds from the amounts in the trust fund and

credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of [the department of] revenue of the action at least ninety days prior to the effective date of the repeal and the director of [the department of] revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of [the department of] revenue shall remit the balance in the account to the city and close the account of that city. The director of [the department of] revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The governing body of any city authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:

(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and

(2) Include information on the city's website on the tax rate and the purposes for which the tax is levied.

94.902. 1. The governing bodies of the following cities **or villages** may impose a tax as provided in this section:

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants;

(4) Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants;

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

(6) Any city of the fourth classification with more than nine thousand five hundred but fewer than ten thousand eight hundred inhabitants;

(7) Any city of the fourth classification with more than five hundred eighty but fewer than six hundred fifty inhabitants;

(8) Any city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than eighty-three

thousand but fewer than ninety-two thousand inhabitants; [or]

(9) Any city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand but fewer than twelve thousand inhabitants;

(10) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in any county of the third classification with a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants;

(11) Any city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants as the county seat; or

(12) Any village with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.

2. The governing body of any city **or village** listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city **or village** which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, [and] **except that a city listed under subdivision (10) or (11) of subsection 1 of this section may impose a tax of one-fourth, one-half, three-fourths, or one percent.** The tax shall be imposed solely for the purpose of improving the public safety for such city[,] **or village** including, but not limited to, expenditures on equipment, city **or village** employee salaries and benefits, and facilities for police, fire, and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city **or village** submits to the voters residing within the city **or village**, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city **or village** to impose a tax under this section.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the **(city/village)** of _____ ([city's] **insert** name) impose a **(citywide/villagewide)** sales tax at a rate of _____ (insert [rate of percent] **percentage**) percent for the purpose of improving the public safety of the **(city/village)**?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are

opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city **or village**, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city **or village** imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city **or village** and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city **or village** which levied the tax. Such funds shall be deposited with the city **or village** treasurer of each such city **or village**, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city **or village**. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The director of [the department of] revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city **or village** for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities **or villages**. If any city **or village** abolishes the tax, the city **or village** shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city **or village**, the director shall remit the balance in the account to the city and close the account of that city **or village**. The director shall notify each city **or village** of each instance of any amount refunded or any check redeemed from receipts due the city **or village**.

6. The governing body of any city **or village** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city **or village**. The ballot of submission shall be in substantially the following form:

Shall **the city of** _____ [(insert the name of the city)] repeal the sales tax imposed at a rate of _____ [(insert rate of percent)] percent for the purpose of improving the public safety of the (city/village)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city **or village** that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city **or village** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city **or village** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. Any sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section that is in effect as of December 31, 2038, shall automatically expire. No city described under subdivision (6) of subsection 1 of this section shall collect a sales tax pursuant to this section on or after January 1, 2039. Subsection 7 of this section shall not apply to a sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

10. The governing body of any city or village authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:

(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and

(2) Include information on the city or village website on the tax rate and the purposes for which the tax is levied.

94.1014. 1. (1) The governing body of any city of the fourth classification with more than three thousand seven hundred but fewer than four thousand inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall not be more than five percent per occupied room per night.

(2) The tax shall not become effective unless the governing body of the city, on a general election day not earlier than the 2022 general election, submits to the voters of the city a proposal to authorize the city to impose a tax under this section, and the voters approve the tax.

(3) The tax shall be in addition to the charge for the sleeping room and all other taxes imposed by law. The tax shall be stated separately from all other charges and taxes.

(4) The proceeds of the tax shall be used by the city for the promotion of tourism; growth of the

region; economic development purposes; and public safety purposes including, but not limited to, equipment expenditures, employee salaries and benefits, and facilities for police, firefighters, or emergency medical providers.

2. The ballot for authorization of the tax shall be in substantially the following form:

Shall _____ (name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in _____ (name of the city) at a rate of _____ percent for the promotion of tourism, growth of the region, economic development, and public safety?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by qualified voters approve the proposal, the tax shall become effective on the first day of the second calendar quarter following the election. If a majority of the votes cast on the proposal by qualified voters opposed the proposal, the tax shall not become effective unless and until the proposal is again submitted to the voters of the city and is approved by a majority of the qualified voters voting thereon.

3. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city's website on the tax rate and the purposes for which the tax is levied.

4. As used in this section, "transient guest" means any person who occupies a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Page 83, Section 321.300, Line 2 of said page, by inserting after all of said line the following:

"321.552. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants; or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants, the governing body of any ambulance or fire protection district may impose a sales tax in an amount up to [one-half of] one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall _____ (insert name of ambulance or fire protection district) impose a sales tax of _____ (insert amount up to [one-half] of] one percent) for the purpose of providing revenues for the

operation of the _____ (insert name of ambulance or fire protection district) and the total property tax levy on properties in the _____ (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax

imposed pursuant to this section.

8. The governing body of any ambulance or fire protection district authorized to levy a sales tax pursuant to this section shall:

(1) Submit the question of an increase in the rate of the sales tax to the voters on a general election day not earlier than the 2022 general election; and

(2) Include information on the ambulance or fire protection district website, if available, on the tax rate and the purposes for which the tax is levied.”; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 5, Section 29.230, Line 26, of said page, by inserting immediately after said line the following:

“34.600. 1. This section shall be known as the “Anti-Discrimination Against Israel Act”.

2. A public entity shall not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.

3. As used in this section, the following terms and phrases shall mean:

(1) “Boycott Israel” and “boycott of the State of Israel”, engaging in refusals to deal, terminating business activities, or other actions to discriminate against, inflict economic harm, or otherwise limit commercial relations specifically with the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel, that are all intended to support a boycott of the State of Israel. A company’s statement that it is participating in boycotts of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel, or that it has taken the boycott action at the request, in compliance with, or in furtherance of calls for a boycott of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel shall be considered to be conclusive evidence that a company is participating in a boycott of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel; provided, however that a company that has made no such statement may still be considered to be participating in a boycott of

the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel if other factors warrant such a conclusion;

(2) “Company”, any for-profit or not-for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly-owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations;

(3) “Public entity”, the state of Missouri or any political subdivision thereof, including all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the state created by or in accordance with state law or regulations.

4. Any contract that fails to comply with the provisions of this section shall be void against public policy.

5. The commissioner of administration or his or her designee may promulgate regulations to implement the provisions of this act so long as they are consistent with this section and do not create any exceptions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority of this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Rowden assumed the Chair

Senator Schupp raised the point of order that **SA 4** is out of order as it goes beyond the scope of the bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **HCS** for **HB 1854**, with **SCS**, **SS** for **SCS**, **SA 4** and point of order (pending) back on the calendar.

Senator Emery assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham requested unanimous consent of the Senate to correct the committee report on **HB 1640** submitted by the Committee on Fiscal Oversight, which request was granted.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HB 1640**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

Senator Bernskoetter moved that **SS** for **HCS** for **HB 2046**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Bernskoetter, the motion to 3rd read and finally pass **SS** for **HCS** for **HB 2046**, as amended, was withdrawn.

Pursuant to Senate Rule 92 and having voted on the prevailing side, Senator Bernskoetter moved that the vote by which Senate Substitute for House Committee Substitute for House Bill No. 2046, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators—None

Absent—Senators

Brown Sater—2

Absent with leave—Senator Nasheed—1

Vacancies—3

Pursuant to Senate Rule 92 and having voted on the prevailing side, Senator Bernskoetter moved that the vote by which Senate Amendment No. 10 to Senate Substitute for House Committee Substitute for House Bill No. 2046, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

At the request of Senator Bernskoetter, **SA 10** was withdrawn.

Senator Bernsketter offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 1, In the Title, Line 5, of the title, by inserting after “RSMo,” the following: “and section 324.009 as enacted by house committee substitute for house bill nos. 1511 & 1452, one hundredth general assembly, second regular

session,”; and

Further amend said bill, Pages 21-25, Section 324.009, by striking all of said section and inserting in lieu thereof the following:

“324.009. 1. For purposes of this section, the following terms mean:

(1) “License”, a license, certificate, registration, permit, or accreditation that enables a person to legally practice an occupation or profession in a particular jurisdiction[; except that “license” shall not include a certificate of license to teach in public schools under section 168.021];

(2) “Nonresident military spouse”, a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(3) “Oversight body”, any board, department, agency, or office of a jurisdiction that issues licenses[; except, for the purposes of this section, oversight body shall not include the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board];

(4) “Resident military spouse”, a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Any person [who is a resident of Missouri, a resident military spouse, or a nonresident military spouse and] who holds a valid current license issued by another state, a territory of the United States, or the District of Columbia, **and who has been licensed for at least one year in such other jurisdiction**, may submit an application for a license in Missouri in the same occupation or profession, **and at the same practice level**, for which he or she holds the current license, along with proof of current licensure **and proof of licensure for at least one year** in [all] the other [jurisdictions] **jurisdiction**, to the relevant oversight body in this state.

3. The oversight body in this state shall:

(1) Within six months of receiving an application described in subsection 2 of this section [from a resident of Missouri], waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that [the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession and shall issue such applicant a license under this section if such applicant otherwise meets the requirements of this section] **there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other state verifies that the person met those requirements in order to be licensed or certified in that state. An oversight body that administers an examination on laws of this state as part of its licensing application requirement may require an applicant to take and pass an examination specific to the laws of this state; or**

(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.

4. **(1)** The oversight body shall not waive any examination, educational, or experience requirements for any applicant who **has had his or her license revoked by an oversight body outside the state; who is currently under investigation, who has a complaint pending, or who** is currently under disciplinary action, **except as provided in subdivision (2) of this subsection,** with an oversight body outside the state; **who does not hold a license in good standing with an oversight body outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri;** or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

(2) If another jurisdiction has taken disciplinary action against an applicant, the oversight body shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the oversight body may deny a license until the matter is resolved.

5. [The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.

6.] Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

6. Any person who is licensed under the provisions of this section shall be subject to the applicable oversight body's jurisdiction and all rules and regulations pertaining to the practice of the licensed occupation or profession in this state.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

9. The provisions of this section shall not impede an oversight body's authority to require an applicant to submit fingerprints as part of the application process.

10. The provisions of this section shall not apply to an oversight body that has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states[. If any conflict arises between the provisions of this section and the provisions of any interjurisdictional or interstate compact or reciprocity agreement, the provisions of such compact or agreement shall prevail. If a conflict arises between the provisions of this section and any federal law or rule, the provisions of the federal law or rule shall prevail] **in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict**

between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018.

[10. For the purposes of this section, resident military spouses and nonresident military spouses shall be eligible to apply for a license with any board, department, agency, or office of a jurisdiction that issues licenses including, but not limited to, the state board of registration for the healing arts; the state board of nursing; the board of pharmacy; the state committee of psychologists; the Missouri dental board; the Missouri board for architects, professional engineers, professional land surveyors, and professional landscape architects; the state board of optometry; and the Missouri veterinary medical board.]

11. Notwithstanding any other provision of law, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for licensure by an oversight body under the provisions of this section.

12. The provisions of this section shall not apply to any occupation set forth in subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to 324.945.”; and

Further amend said bill, Page 49, Section 337.050, Line 8 of said page, by inserting after all of said line the following:

“[324.009. 1. For purposes of this section, the following terms mean:

(1) “License”, a license, certificate, registration, permit, or accreditation that enables a person to legally practice an occupation or profession in a particular jurisdiction; except that “license” shall not include a certificate of license to teach in public schools under section 168.021;

(2) “Nonresident military spouse”, a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(3) “Oversight body”, any board, department, agency, or office of a jurisdiction that issues licenses; except, for the purposes of this section, oversight body shall not include the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board;

(4) “Resident military spouse”, a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Any person who is a resident of Missouri, a resident military spouse, or a nonresident military spouse and who holds a valid current license issued by another state, territory of the United States, or the District of Columbia may submit an application for a

license in Missouri in the same occupation or profession for which he or she holds the current license, along with proof of current licensure in [the] **all** other [jurisdiction] **jurisdictions**, to the relevant oversight body in this state.

3. The oversight body in this state shall[,]:

(1) Within six months of receiving an application described in subsection 2 of this section **from a resident of Missouri**, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession **and shall issue such applicant a license under this section if such applicant otherwise meets the requirements of this section; or**

(2) Within thirty days of receiving an application described in subsection 2 of this section **from a nonresident military spouse or a resident military spouse**, waive any examination, educational, or experience requirements for licensure in this state for the applicant **and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.**

4. The oversight body shall not waive any examination, educational, or experience requirements for any applicant who is currently under disciplinary action with an oversight body outside the state or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

5. The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.

6. Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

9. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states [in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018]. **If any conflict arises between the provisions of this section and the provisions of any interjurisdictional or interstate compact or reciprocity agreement, the provisions of such compact or agreement shall prevail. If a conflict arises between the provisions of this section and any federal law or rule, the provisions of the federal law or rule shall prevail.**

10. For the purposes of this section, resident military spouses and nonresident military spouses shall be eligible to apply for a license with any board, department, agency, or office of a jurisdiction that issues licenses including, but not limited to, the state board of registration for the healing arts; the state board of nursing; the board of pharmacy; the state committee of psychologists; the Missouri dental board; the Missouri board for architects, professional engineers, professional land surveyors, and professional landscape architects; the state board of optometry; and the Missouri veterinary medical board.]”; and

Further amend the title and enacting clause accordingly.

Senator Bernskoetter moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter moved that **SS** for **HCS** for **HB 2046**, as amended, be adopted, which motion prevailed.

On motion of Senator Bernskoetter, **SS** for **HCS** for **HB 2046**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate adjourned until 9:00 a.m., Friday, May 1, 2020.

SENATE CALENDAR

FORTY-SEVENTH DAY—FRIDAY, MAY 1, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O'Laughlin	SB 1082-Bernskoetter
SB 1064-O'Laughlin	SB 1083-Brown
SB 1065-O'Laughlin	SB 1084-Brown
SB 1066-O'Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

HOUSE BILLS ON THIRD READING

HCS for HB 1414, with SCS	HCS#2 for HB 1896, with SCS (Onder)
HCS for HB 1682, with SCS	HB 1559-Remole, with SCS
HCS for HB 1683, with SCS (Wallingford)	HB 1700-Fishel, with SCS (Hough)
HCS for HB 2049, with SCS (Luetkemeyer)	HB 1330-Veit, with SCS (Bernskoetter)
HB 1963-Fitzwater, with SCS (Rowden)	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1
(pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham

SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS

SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS

SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Rizzo)
HB 1467 & HB 1934-Pike, with SCS (Onder)
HB 1640-Taylor (Bernskoetter)

HCS for HB 1655, with SCS (Crawford)
HCS for HB 1854, with SCS, SS for SCS,
SA 4 & point of order (pending) (Hoskins)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SEVENTH DAY—FRIDAY, MAY 1, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“And now, our God, we give thanks to you, and praise your glorious name.” (1Chronicles 29:13)

Gracious God, as we begin a new month we give You thanks for what we have been able to accomplish with Your help. And You have made us aware how little time we have here to do what is necessary, may we make wise decisions on how to use our time together and to bring about that which is truly needed and helpful for the people of this state. We pray for those of us who will travel this day and ask that You be with each of us bringing us safely to our destination and home with loved ones. Grant that we use this time to be energized and our bodies rested and brain cells restored to think through this time and what is required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May	Nasheed
Riddle	Rizzo	Rowden	Sater	Schatz	Sifton	White
Wieland	Williams—23					

Absent—Senators

Burlison	Cierpiot	Libla	Onder	Schupp	Walsh—6
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Absent with leave—Senators

O’Laughlin	Wallingford—2
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Luetkemeyer offered Senate Resolution No. 1415, regarding Central High School Girls Basketball Indians, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1416, regarding Garrison Bradley, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1417, regarding Lafayette High School Boys Basketball Fighting Irish, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1418, regarding the Fiftieth Wedding Anniversary of Roy and Candy Beers, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1419, regarding the Fiftieth Wedding Anniversary of Bob and Donna Silvey, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1420, regarding Sherrie Kisker, Platte County, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1421, regarding the Seventieth Wedding Anniversary of Corbett Van “Corky” and Virginia Ann “Gin” Cundiff, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1422, regarding the Fiftieth Wedding Anniversary of Bill and Judy Thomas, St. Joseph, which was adopted.

Senator Cunningham offered Senate Resolution No. 1423, regarding Jack Randolph, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1424, regarding Mary Mulford, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1425, regarding Christy Ingalsbe, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1426, regarding Diana Parton, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1427, regarding Ted Wilkening, West Plains, which was adopted.

Senators May and Williams offered Senate Resolution No. 1428, regarding the death of Deborah Ann Chapman, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1429, regarding Jake Gnolfo, St. Peters, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SB 704**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SS No. 2** for **SB 704** and **HCS** for **HB 1414**, with **SCS** to the Committee on Fiscal Oversight.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1051—Local Government and Elections.

SB 1052—Small Business and Industry.

SB 1053—Transportation, Infrastructure and Public Safety.

SB 1054—Education.

SB 1055—Education.

SB 1056—Commerce, Consumer Protection, Energy and the Environment.

SB 1057—Economic Development.

SB 1058—Transportation, Infrastructure and Public Safety.

SB 1059—Agriculture, Food Production and Outdoor Resources.

SB 1060—Commerce, Consumer Protection, Energy and the Environment.

SB 1061—Education.

SB 1062—Judiciary and Civil and Criminal Jurisprudence.

SB 1063—Education.

SB 1064—Small Business and Industry.

SB 1065—Commerce, Consumer Protection, Energy and the Environment.

SB 1066—General Laws.

SB 1067—Insurance and Banking.

SB 1068—Judiciary and Civil and Criminal Jurisprudence.

SB 1069—Seniors, Families and Children.

SB 1070—Judiciary and Civil and Criminal Jurisprudence.

SB 1071—Education.

SB 1072—Small Business and Industry.

SB 1073—Health and Pensions.

SB 1074—Insurance and Banking.

SB 1075—Education.

SB 1076—Commerce, Consumer Protection, Energy and the Environment.

SB 1077—Judiciary and Civil and Criminal Jurisprudence.

SB 1078—Professional Registration.

SB 1079—Small Business and Industry.

SB 1080—Ways and Means.

SB 1081—Economic Development.

SB 1082—Agriculture, Food Production and Outdoor Resources.

SB 1083—Judiciary and Civil and Criminal Jurisprudence.

SB 1084—Local Government and Elections.

SB 1085—Seniors, Families and Children.

SB 1086—Transportation, Infrastructure and Public Safety.

SB 1087—Insurance and Banking.

SB 1088—Seniors, Families and Children.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, May 4, 2020.

SENATE CALENDAR

FORTY-EIGHTH DAY—MONDAY, MAY 4, 2020

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 704-Hoskins (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

HCS for HB 1414, with SCS (In Fiscal Oversight)

HCS for HB 1682, with SCS

HCS for HB 1683, with SCS (Wallingford)

HCS for HB 2049, with SCS (Luetkemeyer)

HB 1963-Fitzwater, with SCS (Rowden)

HCS#2 for HB 1896, with SCS (Onder)

HB 1559-Remole, with SCS

HB 1700-Fishel, with SCS (Hough)

HB 1330-Veit, with SCS (Bernskoetter)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1
(pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham

SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS

SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS

SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HB 1467 & HB 1934-Pike, with SCS (Onder)
HB 1640-Taylor (Bernskoetter)

HCS for HB 1655, with SCS (Crawford)
HCS for HB 1854, with SCS, SS for SCS,
SA 4 & point of order (pending) (Hoskins)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-EIGHTH DAY—MONDAY, MAY 4, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk with wisdom towards them that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Loving Father we gather once again and are grateful for our safe travel and our coming together once again. As we move to reopen our state and begin to greet one another may we be wise in doing so and practice “safe distancing” to keep ourselves and others safe and healthy. We thank You for our health and pray that we and our families also continue to be healthy and safe. And Father May we practice gracious and winsome behavior as we discuss those things that are before us as a Senate. And may our decisions be helpful and lead us along the path that You would have us take. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Friday, May 1, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1430, regarding Daryl Bradley, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1431, regarding the Class 2 State Champions Monett High School Boys Wrestling Cubs, which was adopted.

Senators Hough and Burlison offered Senate Resolution No. 1432, regarding the death of Officer Christopher Ryan “Chris” Walsh, which was adopted.

Senator Sater offered Senate Resolution No. 1433, regarding the Seventieth Wedding Anniversary of Don and Margaret Beeson, Cassville, which was adopted.

Senator Arthur offered Senate Resolution No. 1434, regarding LeAnn L. Smith, Parkville, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 653**, entitled:

An Act to repeal sections 210.112, 210.145, 210.566, 210.790, and 211.171, RSMo, and to enact in lieu thereof eight new sections relating to foster care.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 653, Page 1, Section 210.112, Line 8, by deleting “**subsection 3 of**”; and

Further amend said bill and section, Page 2, Line 48, by deleting “**subsection 5 of**”; and

Further amend said bill, Page 11, Section 210.123, Line 116, by deleting the word “**divisions**” and inserting in lieu thereof the word “**division**”; and

Further amend said bill, page, and section, Line 124 by deleting the phrase “**suitable adult or**”; and

Further amend said bill, Page 12, Section 210.145, Line 22, by inserting after the word “**subsection**” the phrase “**and shall also be completed within seventy-two hours of the report of abuse or neglect**”; and

Further amend said bill, Page 22, Section 211.171, Lines 11 to 12, by deleting all of said lines and inserting in lieu thereof “heard in, any hearing to be held with respect to~~the~~ **a child in his or her care**, and a foster parent shall have standing to participate in all court hearings pertaining to a child in their care.”; and

Further amend said bill, Page 23, Section 210.790, Lines 1-2, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 599**, entitled:

An Act to repeal sections 30.260, 30.753, 30.758, 362.1015, 362.1030, 362.1037, 362.1040, 362.1070, 370.010, 370.020, 370.030, 370.071, 370.110, 370.120, 370.130, 370.151, 370.170, 370.190, 370.200, 370.220, 370.230, 370.235, 370.260, 370.270, 370.275, 370.310, 370.340, 370.350, 370.355, 370.356, 370.358, 370.359, 376.945, 385.015, 409.605, 409.610, 409.615, 409.620, 409.625, 409.630, 409.3-302, 409.4-412, 409.6-604, 443.717, 443.825, 443.855, and 443.857, RSMo, and to enact in lieu thereof forty-eight new sections relating to financial instruments.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 599, Page 7, Section 30.758, Line 54, by inserting after all of said line the following:

“70.705. 1. The “Members Deposit Fund” is hereby created. It shall be the fund in which shall be accumulated the contributions made by members to the system, and from which shall be made transfers and refunds of members’ contributions as provided in sections 70.600 to 70.755.

2. Except as provided otherwise in this section, the contributions of a member to the system shall be four percent of his compensations after the date he has completed sufficient employment for six months of credited service. Such contributions shall be made notwithstanding that the minimum salary or wages provided by law for any member shall thereby be changed. Each member shall be deemed to consent and agree to the deductions made and provided for herein. Payment of a member’s compensation less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered by him to a political subdivision, except as to benefits provided by this system.

3. The officer or officers responsible for making up the payrolls for each political subdivision shall cause the contributions provided for in this section to be deducted from the compensation of each member in the employ of the political subdivision, on each and every payroll, for each and every payroll period after the date he has completed sufficient employment for six months of credited service to the date his membership terminates. When deducted, each of these amounts shall be paid by the political subdivision to the system; the payments shall be made in the manner and shall be accompanied by such supporting data as the board shall from time to time prescribe. When paid to the system, each of the amounts shall be credited to the members deposit fund account of the member from whose compensations the contributions were deducted.

4. In addition to the contributions deducted from the compensations of a member, as heretofore provided, a member shall deposit in the members deposit fund, by a single contribution or by an increased rate of contributions, as approved by the board, the amount or amounts he may have withdrawn therefrom and not repaid thereto, together with regular interest from the date of withdrawal to the date of repayment. In no case shall a member be given credit for service rendered prior to the date he withdrew his accumulated contributions until he returns to the members deposit fund all amounts due the fund by him.

5. Upon the retirement of a member, or upon his death if an allowance becomes payable on account of his death, his accumulated contributions shall be transferred to the benefit reserve fund.

6. Each political subdivision, by majority vote of its governing body, may elect with respect to its

members **an alternate contribution amount of two percent or six percent of compensation or to eliminate future member contributions otherwise provided for in this section. Should a political subdivision elect one benefit program for members whose political subdivision employment is concurrently covered by federal Social Security and a different benefit program for members whose political subdivision employment is not concurrently covered by federal Social Security, as provided in section 70.655, the political subdivision may also, by majority vote of its governing body, make one election concerning member contributions provided for in this section for members whose political subdivision employment is concurrently covered by federal Social Security and one election concerning member contributions provided for in this section for members whose political subdivision employment is not concurrently covered by federal Social Security.** The clerk or secretary of the political subdivision shall certify the election concerning member contributions to the board within ten days after such vote. The effective date of the political subdivision's member contribution election is the first day of the calendar month specified by such governing body, or the first day of the calendar month next following receipt by the board of the certification of such election, or the effective date of the political subdivision's becoming an employer, whichever is the latest. Such election concerning member contributions may be changed from time to time by such vote, but not more often than once in two years. Except as provided in section 70.707, if such election is to eliminate member contributions, then such election shall apply only to future member compensations and shall not change the status of any member contributions made before such election. If the effect of such election is to require member contributions, then such election shall apply only to future member compensations and shall not change any member contribution requirements existing before such election. Should an employer change its member contribution requirements as provided in this section, the employer contribution requirements shall be correspondingly changed effective the same date as the member contribution change. The limitation on increases in an employer's contribution provided by subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer electing to eliminate member contributions.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 599, Page 30, Section 385.015, Line 21, by inserting after all of said section and line the following:

“408.512. 1. Any traditional installment loan lender licensed under sections 367.100 to 367.200 or section 408.510 shall be permitted to make loans and charge fees and interest as authorized under sections 408.100, 408.140, and 408.170.

2. No charter provision, ordinance, rule, order, permit, policy, guideline, or other governmental action of any political subdivision of the state, local government, city, county, or any agency, authority, board, commission, department, or officer thereof shall:

(1) Prevent, restrict, or discourage traditional installment loan lenders from lending under sections 408.100, 408.140, and 408.170;

(2) Prevent, restrict, or discourage traditional installment loan lenders from operating in any location where any lender who makes loans payable in equal installments over more than ninety days is permitted; or

(3) Create **any** disincentives for any traditional installment loan lender from engaging in lending

under sections 408.100, 408.140, and 408.170. **Any fee charged to any traditional installment loan lender that is not charged to all lenders licensed or regulated by the division of finance shall be a disincentive in violation of this section.**

The provisions of this subsection shall not apply where a charter provision or valid ordinance as of August 28, 2014, expressly applies to traditional installment loan lenders.

3. As used in this section, the following terms shall mean:

(1) “Fully amortized”, the principal, defined as amount financed under the federal Truth in Lending Act, and the scheduled interest, defined as finance charge under the federal Truth in Lending Act, are repaid in substantially equal multiple installments at fixed intervals to fulfill the consumer’s obligation;

(2) “Traditional installment loan”, fixed rate, fully amortized closed-end extensions of direct consumer loans. However, if any of the following are true, the transaction is not a traditional installment loan:

(a) The transaction has a repayment term of one hundred eighty-one days or fewer and is secured by the title to the borrower’s motor vehicle or auto;

(b) The transaction requires that the full amount of the credit extended together with all fees and charges for the credit be repaid in ninety-one days or fewer;

(c) The transaction’s scheduled repayment plan contains one or more interest-only payments or a payment that is more than ten percent greater than the average of all other scheduled payment amounts;

(d) The transaction, at origination, requires the borrower:

a. To agree to a preauthorized automatic withdrawal in the form of a bank draft, a preapproved automated clearing house or its equivalent;

b. To agree to an allotment or an agreement to defer presentment of one or more contemporaneously-dated or postdated checks; or

c. To repay the loan in full at a borrower’s next payday or other recurring deposit cycle, where the repayment is connected with a bank account;

(3) “Traditional installment loan lender”, a licensee under sections 367.100 to 367.200 or section 408.510 whose direct consumer loans are limited only to traditional installment loans.

4. Nothing in this section shall apply to or preempt any ordinance governing installment lenders, or any amendment to any such ordinance, in a home rule city with more than four hundred thousand inhabitants and located in more than one county.

5. Traditional installment loan lenders may charge, in addition to any other contractual fees, a convenience fee or surcharge for payments made by a debit or credit card in an amount not to exceed any third-party charge.

6. Any traditional installment loan lender who prevails against a political subdivision in an action to enforce this section or in defending an action using this section as a defense shall receive from the political subdivision costs actually incurred including, but not limited to, attorney’s fees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references

accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 599, Page 7, Section 30.758, Line 54, by inserting after all of said line the following:

“100.255. As used in sections 100.250 to 100.297, the following terms mean:

- (1) “Board”, the Missouri development finance board created by section 100.265;
- (2) “Borrower”, any person, partnership, public or private corporation, association, development agency or any other entity eligible for funding under sections 100.250 to 100.297;
- (3) “Development agency”, any of the following:
 - (a) A port authority established pursuant to chapter 68;
 - (b) The bi-state development agencies established pursuant to sections 70.370 to 70.440, and sections 238.010 to 238.100;
 - (c) A land clearance for redevelopment authority established pursuant to sections 99.300 to 99.660;
 - (d) A county, city, incorporated town or village or other political subdivision or public body of this state;
 - (e) A planned industrial expansion authority established pursuant to sections 100.300 to 100.620;
 - (f) An industrial development corporation established pursuant to sections 349.010 to 349.105;
 - (g) A real property tax increment financing commission established pursuant to sections 99.800 to 99.865;
 - (h) Any other governmental, quasi-governmental or quasi-public corporation or entity created by state law or by resolution adopted by the governing body of a development agency otherwise described in paragraphs (a) through (g) of this subdivision;
- (4) “Development and reserve fund”, the industrial development and reserve fund established pursuant to section 100.260;
- (5) “Export finance fund”, the Missouri export finance fund established pursuant to section 100.260;
- (6) “Export trade activities” includes, but is not limited to, consulting, international market research, advertising, marketing, insurance, product research and design, legal assistance, transportation, including trade documentation and freight forwarding, communication, and processing of foreign orders to and for exporters and foreign purchases and warehousing, when undertaken to export or facilitate the export of goods or services produced or assembled in this state;
- (7) “Guarantee fund”, the industrial development guarantee fund established by section 100.260;
- (8) “Infrastructure development fund”, the infrastructure development fund established under section 100.263;
- (9) “Infrastructure facilities”, the highways, streets, bridges, water supply and distribution systems, mass transportation facilities and equipment, telecommunication facilities, jails and prisons, sewers and sewage treatment facilities, wastewater treatment facilities, airports, railroads, reservoirs, dams and waterways in this state, acquisition of blighted real estate and the improvements thereon, demolition of existing structures

and preparation of sites in anticipation of development, public facilities, and any other improvements provided by any form of government or development agency;

(10) “Jobs now fund”, the jobs now fund established under section 100.260;

(11) “Jobs now projects”, the purchase, construction, extension, and improvement of real estate, plants, buildings, structures, or facilities, whether or not now in existence, used or to be used primarily as infrastructure facilities or public facilities. When any entity provides a certified design or operation plan which is demonstrably less than the usual and customary average industry determination of cost for installation, construction, purchasing, extension, and improvement of real estate, manufacturing facilities, buildings, structures or facilities, including public facilities, then the entity or company providing such service may receive payment in an amount equal to the usual and customary fee for such project plus additional compensation equal to two times the percentage by which the cost of such aforementioned criteria of such facility is less than the usual and customary average industrial determination of cost for installation, construction, materials, extension and improvement of real estate, manufacturing facilities, buildings, structures, or facilities, including public facilities. Such entity shall also pay to such company providing such aforementioned service compensation equal to twenty-five percent of the amount of any annual operational costs which are lower than the customary average industry determination of cost for operation for such facility, procedure, or service for a period of time equal to one-fourth the design lifetime of such entity or five years whichever is less;

(12) “Participating lender”, a lender authorized by the board to participate with the board in the making of a loan or to make loans the repayment of which is secured by the development and reserve fund;

(13) “Project”, the purchase, construction, extension, and improvement of real estate, plants, buildings, structures or facilities, whether or not now in existence, used or to be used primarily as a factory, assembly plant, manufacturing plant, fabricating plant, distribution center, warehouse building, office building, port terminal or facility, transportation and transfer facility, industrial plant, processing plant, commercial or agricultural facility, nursing or retirement facility or combination thereof, recreational facility, cultural facility, public facilities, job training or other vocational training facility, infrastructure facility, video-audio telecommunication conferencing facility, office building, facility for the prevention, reduction, disposal or control of pollution, sewage or solid waste, facility for conducting export trade activities, or research and development building in connection with any of the facilities defined as a project in this subdivision. The term “project” shall also include any improvements, including, but not limited to, road or rail construction, alteration or relocation, and construction of facilities to provide utility service for any of the facilities defined as a project under this subdivision, along with any fixtures, equipment, and machinery, and any demolition and relocation expenses used in connection with any such projects and any capital used to promote and facilitate such facilities and notes payable from anticipated revenue issued by any development agency. **The term “project” shall also include any transfer, expenditure or working capital of the state, any agency or department of the state or any development agency;**

(14) “Public facility”, any facility or improvements available for use by the general public including facilities for which user or other fees are charged on a nondiscriminatory basis.

“; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Schatz referred **HB 1559**, with **SCS**; **HB 1700**, with **SCS**; **HCS** for **HB 1683**, with **SCS**; **HB 1963**, with **SCS**; **HCS No. 2** for **HB 1896**, with **SCS**; and **HCS** for **HB 1682**, with **SCS** to the Committee on Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HCS** for **HB 1414**, with **SCS** and **SS No. 2** for **SB 704**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS No. 2 for **SB 704**, introduced by Senator Hoskins, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 704**

An Act to repeal sections 67.730, 67.1360, 94.838, 94.900, 94.902, 99.805, 99.810, 99.825, 99.843, 105.145, 135.305, 135.550, 137.115, 137.180, 137.275, 137.355, 137.385, 138.060, 138.090, 138.434, 143.121, 143.171, 143.991, 144.757, 205.202, 321.552, 326.289, 347.179, 347.183, 358.460, 358.470, 620.2005, and 620.2010, RSMo, and to enact in lieu thereof forty-one new sections relating to taxation, with penalty provisions.

Was taken up.

On motion of Senator Hoskins, **SS No. 2** for **SB 704** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Riddle	Rizzo	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None**Absent—Senators**

Onder Rowden—2

Absent with leave—Senators—None**Vacancies—3**

The President declared the bill passed.

On motion of Senator Hoskins, title to the bill was agreed to.

Senator Hoskins moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2001**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2002**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2003**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2004**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2005**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2006**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2007**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2009**,

begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2010**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2011**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HS** for **HCS** for **HB 2012**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2013**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1467, introduced by Representative Pike and **HB 1934**, introduced by Representative Wiemann, with **SCS**, entitled, respectively:

An Act to repeal section 70.705, RSMo, and to enact in lieu thereof one new section relating to the Missouri Local Government Employees' Retirement System.

An Act to repeal section 169.020, RSMo, and to enact in lieu thereof one new section relating to the public school retirement system of Missouri.

Was taken up by Senator Onder.

SCS for **HBs 1467** and **1934**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 1467 AND 1934

An Act to repeal sections 70.705, 104.010, 104.090, 104.395, 104.1003, 104.1027, and 169.020, RSMo, and to enact in lieu thereof eight new sections relating to public employee retirement systems.

Was taken up.

Senator Onder moved that **SCS** for **HBs 1467** and **1934** be adopted.

Senator Onder offered **SS** for **SCS** for **HBs 1467** and **1934**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1467 AND 1934

An Act to repeal sections 70.705, 104.010, 104.090, 104.395, 104.1027, and 169.020, RSMo, and to enact in lieu thereof seven new sections relating to public employee retirement systems.

Senator Onder moved that **SS** for **SCS** for **HBs 1467** and **1934** be adopted.

Senator Cierpiot offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bills Nos. 1467 and 1934, Page 31, Section 104.1089, Line 27 of the page, by inserting after “1.” the following: “**Subject to the provisions of the Internal Revenue Code,**”.

Senator Cierpiot moved that the above amendment be adopted, which motion prevailed.

Senator Onder moved that **SS** for **SCS** for **HBs 1467** and **1934**, as amended, be adopted, which motion prevailed.

On motion of Senator Onder, **SS** for **SCS** for **HBs 1467** and **1934**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hoskins moved that **HCS** for **HB 1854**, with **SCS**, **SS** for **SCS**, **SA 4** and the point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Onder, **SA 4** was withdrawn, rendering the point of order moot.

At the request of Senator Hoskins, **SS** for **SCS** for **HCS** for **HB 1854** was withdrawn.

Senator Hoskins offered **SS No. 2** for **SCS** for **HCS** for **HB 1854**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1854

An Act to repeal sections 29.230, 36.155, 50.166, 50.327, 54.140, 59.021, 59.100, 64.805, 67.730, 67.1360, 67.1545, 94.838, 94.900, 94.902, 105.145, 115.127, 115.621, 115.646, 137.180, 138.434, 144.757, 205.202, 238.207, 238.235, 238.237, 321.015, 321.190, 321.300, 321.552, 321.603, 506.384, 610.021, 620.2005, and 620.2010, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof fifty-one new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Hoskins moved that **SS No. 2** for **SCS** for **HCS** for **HB 1854** be adopted.

Senator Arthur offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 76, Section 115.646, Lines 26-28 by striking said lines; and further amend page 77, section 115.646, lines 1-27, by striking said lines.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator May offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 103, Section 144.757, Line 17 of said page, by inserting immediately after all of said line the following:

“174.290. Harris-Stowe University is hereby designated and shall hereafter be operated as an institution with a statewide mission in science, technology, engineering, and mathematics (STEM).”;
and

Further amend the title and enacting clause accordingly.

Senator Rowden raised the point of order that **SA 2** is out of order as it goes beyond the scope and title of the underlying bill. The point of order was referred to the President Pro Tem who ruled well taken.

Senator Hough offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 160, Section 620.2010, Line 8 of said page, by inserting immediately after said line the following:

“620.2250. 1. This section shall be known and may be cited as the “Targeted Industrial Manufacturing Enhancement Zones Act”.

2. As used in this section, the following terms shall mean:

(1) “County average wage”, the average wage in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(2) “Department”, the Missouri department of economic development;

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the completion of an agreement pursuant to subsection 6 of this section and no job that is relocated from another location within this state shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the county average wage;

(4) “Political subdivision”, a town, village, city, or county located in this state;

(5) “Related facility”, a facility operated by a company or a related company prior to the establishment of the TIME zone in question, and which is directly related to the operations of the facility within the new TIME zone;

(6) “TIME zone”, an area identified through an ordinance or resolution passed pursuant to subsection 4 of this section that is being developed or redeveloped for any purpose so long as any infrastructure or building built or improved is in the development area;

(7) “Zone board”, the governing body of a TIME zone.

3. The governing bodies of at least two contiguous or overlapping political subdivisions in this state may establish one or more TIME zones, which shall be political subdivisions of the state, for the purposes of completing infrastructure projects to promote the economic development of the region. Such zones may only include the area within the governing bodies’ jurisdiction, ownership, or control, and may include any such area. The governing bodies shall determine the boundaries for each TIME zone, and more than one TIME zone may exist within the governing bodies’ jurisdiction or under the governing bodies’ ownership or control, and may be expanded or contracted by resolution of the zone board.

4. (1) To establish a TIME zone, the governing bodies of at least two political subdivisions shall each propose an ordinance or resolution creating such zone. Such ordinance or resolution shall set forth the names of the political subdivisions which will form the TIME zone, the general nature of the proposed improvements, the estimated cost of such improvements, the boundaries of the proposed TIME zone, and the estimated number of new jobs to be created in the TIME zone. Prior to approving such ordinance or resolution, each governing body shall hold a public hearing to consider the creation of the TIME zone and the proposed improvements therein. The governing bodies shall

hear and pass upon all objections to the TIME zone and the proposed improvements, if any, and may amend the proposed improvements, and the plans and specifications therefor.

(2) After the passage or adoption of the ordinance or resolution creating the TIME Zone, governance of the TIME zone shall be by the zone board, which shall consist of seven members selected from the political subdivisions creating the TIME zone. Members of a zone board shall receive no salary or other compensation for their services as members, but shall receive their necessary traveling and other expenses incurred while actually engaged in the discharge of their official duties. The zone board may expand or contract such TIME zone through an ordinance or resolution following a public hearing conducted to consider such expansion or contraction.

5. The boundaries of the proposed TIME zone shall be described by metes and bounds, streets, or other sufficiently specific description.

6. (1) Prior to retaining any state withholding tax pursuant to subsection 9 of this section, a zone board shall enter into an agreement with the department. Such agreement shall include, but shall not be limited to:

(a) The estimated number of new jobs to be created;

(b) The estimated average wage of new jobs to be created;

(c) The estimated net fiscal impact of the new jobs;

(d) The estimated costs of the proposed improvements;

(e) The estimated amount of withholding tax to be retained pursuant to subsection 9 of this section over the period of the agreement; and

(f) A copy of the ordinance establishing the board and a list of its members.

(2) The department shall not approve an agreement with a zone board unless the zone board commits to creating the following number of new jobs:

(a) For a TIME zone with a total population of less than five thousand inhabitants as determined by the most recent decennial census, a minimum of five new jobs with an average wage that equals or exceeds ninety percent of the county average wage;

(b) For a TIME zone with a total population of at least five thousand inhabitants but less than fifty thousand inhabitants as determined by the most recent decennial census, a minimum of ten new jobs with an average wage that equals or exceeds ninety percent of the county average wage;

(c) For a TIME zone with a total population of at least fifty thousand inhabitants but less than one hundred fifty thousand inhabitants as determined by the most recent decennial census, a minimum of fifteen new jobs with an average wage that equals or exceeds ninety percent of the county average wage; and

(d) For a TIME zone with a total population of at least one hundred fifty thousand inhabitants as determined by the most recent decennial census, a minimum of twenty-five new jobs with an average wage that equals or exceeds ninety percent of the county average wage.

7. (1) The term of the agreement entered into pursuant to subsection 6 of this section shall not exceed ten years. A zone board may apply to the department for approval to renew any agreement.

Such application shall be made on forms provided by the department. In determining whether to approve the renewal of an agreement, the department shall consider:

- (a) The number of new jobs created and the average wage and net fiscal impact of such jobs;
- (b) The outstanding improvements to be made within the TIME zone and the funding necessary to complete such improvements; and
- (c) Any other factor the department requires.

(2) The department may approve the renewal of an agreement for a period not to exceed ten years. If a zone board has not met the new job requirements pursuant to subdivision (2) of subsection 6 of this section by the end of the agreement, the department shall recapture from such zone board the amount of withholding tax retained by the zone board pursuant to this section and the department shall not approve the renewal of an agreement with such zone board.

(3) A zone board shall not retain any withholding tax pursuant to this section in excess of the costs of improvements completed by the zone board.

8. If a qualified company is retaining withholding tax pursuant to sections 620.2000 to 620.2020 for new jobs, as such terms are defined in section 620.2005, that also qualify for the retention of withholding tax pursuant to this section, the department shall not authorize an agreement pursuant to this section that results in more than fifty percent of the withholding tax for such new jobs being retained pursuant to this section and sections 620.2000 to 620.2020.

9. Upon the completion of an agreement pursuant to subsection 6 of this section, twenty-five percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within a TIME zone after development or redevelopment has commenced shall not be remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited into the TIME zone fund established pursuant to subsection 10 of this section for the purpose of continuing to expand, develop, and redevelop TIME zones identified by the zone board, and may be used for managerial, engineering, legal, research, promotion, planning, and any other expenses.

10. There is hereby created in the state treasury the "TIME Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the zone boards of the TIME zones from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section, which shall not exceed ten percent of the total amount collected within the TIME zones of a zone board. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The zone board shall approve projects consistent with the provisions of this section that begin construction and disburse any money collected under this section. The zone board shall submit an annual budget for the funds to the department explaining how and when such money will be spent.

12. A zone board shall submit an annual report by December thirty-first of each year to the department and the general assembly. Such report shall include, but shall not be limited to:

- (1) The locations of the established TIME zones governed by the zone board;
 - (2) The number of new jobs created within the TIME zones governed by the zone board;
 - (3) The average wage of the new jobs created within the TIME zones governed by the zone board;
- and
- (4) The amount of withholding tax retained pursuant to subsection 9 of this section from new jobs created within the TIME zones governed by the zone board.

13. No political subdivision shall establish a TIME zone with boundaries that overlap the boundaries of an advanced industrial manufacturing zone established pursuant to section 68.075.

14. The total amount of withholding taxes retained by all TIME zones pursuant to the provisions of this section shall not exceed five million dollars per fiscal year.

15. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

16. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized pursuant to this section shall sunset automatically on August 28, 2024, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized pursuant to this section shall sunset automatically twelve years after the effective date of the reauthorization; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized pursuant to this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Hoskins moved that **SS No. 2 for SCS for HCS for HB 1854**, as amended, be adopted, which motion prevailed.

Senator Hoskins moved that **SS No. 2 for SCS for HCS for HB 1854**, as amended, be read the 3rd time and was recognized to close.

President Pro Tem Schatz referred **SS No. 2 for SCS for HCS for HB 1854** to the Committee on Fiscal Oversight.

HCS for HB 1655, with SCS, entitled:

An Act to repeal sections 2.020 and 2.110, RSMo, and to enact in lieu thereof two new sections relating to the secretary of state.

Was taken up by Senator Crawford.

SCS for HCS for HB 1655, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1655

An Act to repeal sections 2.020, 2.110, 367.031, 486.200, 486.205, 486.210, 486.215, 486.220, 486.225, 486.230, 486.235, 486.240, 486.245, 486.250, 486.255, 486.260, 486.265, 486.270, 486.275, 486.280, 486.285, 486.290, 486.295, 486.300, 486.305, 486.310, 486.315, 486.320, 486.325, 486.330, 486.335, 486.340, 486.345, 486.350, 486.355, 486.360, 486.365, 486.370, 486.375, 486.380, 486.385, 486.390, 486.395, 486.396, and 486.405, RSMo, and to enact in lieu thereof one hundred new sections relating to official documents, with penalty provisions.

Was taken up.

Senator Crawford moved that **SCS for HCS for HB 1655** be adopted, which motion prevailed.

On motion of Senator Crawford, **SCS for HCS for HB 1655** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senators

Riddle Sater—2

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Crawford, title to the bill was agreed to.

Senator Crawford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

 FORTY-NINTH DAY—TUESDAY, MAY 5, 2020

FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HCS for HB 1414, with SCS | 13. HS for HCS for HB 2004, with SCS |
| 2. HCS for HB 1682, with SCS (Sater) | (Hegeman) |
| (In Fiscal Oversight) | 14. HS for HCS for HB 2005, with SCS |
| 3. HCS for HB 1683, with SCS | (Hegeman) |
| (Wallingford) (In Fiscal Oversight) | 15. HS for HCS for HB 2006, with SCS |
| 4. HCS for HB 2049, with SCS (Emery) | (Hegeman) |
| 5. HB 1963-Fitzwater, with SCS (Libla) | 16. HS for HCS for HB 2007, with SCS |
| (In Fiscal Oversight) | (Hegeman) |
| 6. HCS#2 for HB 1896, with SCS (Onder) | 17. HS for HCS for HB 2008, with SCS |
| (In Fiscal Oversight) | (Hegeman) |
| 7. HB 1559-Remole, with SCS (Hoskins) | 18. HS for HCS for HB 2009, with SCS |
| (In Fiscal Oversight) | (Hegeman) |
| 8. HB 1700-Fishel, with SCS (Hough) | 19. HS for HCS for HB 2010, with SCS |
| (In Fiscal Oversight) | (Hegeman) |
| 9. HB 1330-Veit, with SCS (Bernskoetter) | 20. HS for HCS for HB 2011, with SCS |
| 10. HCS for HB 2001 (Hegeman) | (Hegeman) |
| 11. HS for HCS for HB 2002, with SCS | 21. HS for HCS for HB 2012, with SCS |
| (Hegeman) | (Hegeman) |
| 12. HS for HCS for HB 2003, with SCS | 22. HCS for HB 2013, with SCS (Hegeman) |
| (Hegeman) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 522-Sater | SB 529-Cunningham, with SCS |
| SB 524-Sater | SB 530-Cunningham, with SCS, SS for SCS |
| SB 525-Emery, with SCS, SS for SCS & SA 1 | & SA 1 (pending) |
| (pending) | SB 531-Wallingford, with SS & SA 1 (pending) |
| SB 526-Emery, with SCS | SB 537-Libla |

SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel

SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)

HB 1640-Taylor (Bernskoetter)

SS#2 for SCS for HCS for HB 1854
(Hoskins) (In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 599-Brown, with HCS, as amended

SCS for SB 653-Crawford, with HCS, as amended

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-NINTH DAY—TUESDAY, MAY 5, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“May God be gracious to us and bless us and make his face shine upon us...” (Psalm 67:1)

Gracious God, The days may grow longer as we do what must be done here and the end of the week seems far away. So we ask Lord that we might be mindful that all the words that are spoken carry with them issues and concerns that others believe as being important to be heard. May due consideration be given to them and even though we may differ let us make our decisions for the greater good for Missouri. We continue to pray for all the “front line” medical people as they continue to address the well being of their patients during this difficult time. And we ask Lord that You guide the minds of researchers as they seek to find a cure against Covid 19. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rowden offered Senate Resolution No. 1435, regarding Officer George Roberson, Ashland, which was adopted.

Senator White offered Senate Resolution No. 1436, regarding Captain Aaron Dearmond, Oronogo, which was adopted.

Senator Onder offered Senate Resolution No. 1437, regarding Taidrell Williams, which was adopted.

Senator Onder offered Senate Resolution No. 1438, regarding Mya Danielle Bozeman, which was adopted.

Senator Sater offered Senate Resolution No. 1439, regarding the family of Captain Thomas Hubert Wolfe, Monett, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 1440, regarding the Fiftieth Wedding Anniversary of Paul and Norma Wing, St. Joseph, which was adopted.

Senator Crawford offered Senate Resolution No. 1441, regarding Ethan Ives, Cole Camp, which was adopted.

Senator Wieland offered Senate Resolution No. 1442, regarding Ellie R. Williams, Dittmer, which was adopted.

Senator Wieland offered Senate Resolution No. 1443, regarding Gabriella Raney, Arnold, which was adopted.

Senator Wieland offered Senate Resolution No. 1444, regarding Nikki Newhouse, Arnold, which was adopted.

The Senate observed a moment of silence in memory of Patrick Brauner.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Wallingford, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 2120**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

PRIVILEGED MOTIONS

Senator Brown moved that **SCS** for **SB 599**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 599**, as amended, was taken up.

Senator Brown moved that **HCS** for **SCS** for **SB 599**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Brown, **HCS for SCS for SB 599** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Wallingford	White	Wieland—25			

NAYS—Senators

Arthur	Nasheed	Schupp	Sifton	Walsh	Williams—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HCS for HB 2001, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money

among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HCS for HB 2001** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2002, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2002, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2002** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2002, Page 8, Section 2.090, Line 24, by inserting immediately after said line the following:

“Section 2.091. To the Department of Elementary and Secondary Education

For the Division of Learning Services

For funding an early literacy program targeting third grade reading success in academically struggling school districts which provides a full continuum of school-based, early literacy intervention services, for all grades Pre-K through third grade, consisting of developmentally appropriate components for each grade delivered each day school is in session by professionally coached, full-time interventionists who collect data regularly and use an intervention model that is comprehensive, has been proven to be effective in one or more empirical studies, and is provided by a not-for-profit organization to a Local Education Agency or a community-based early childhood center

From General Revenue Fund (0101) \$350,000”;

And

Further amend said bill, page 11, Section 2.160, line 4, by inserting immediately after said line the following:” “Section 2.161. To the Department of Elementary and Secondary Education

For character education initiatives

From General Revenue Fund (0101) \$1”;

and

Further amend bill totals accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

Senator Onder offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2002, Page 6, Section 2.070, Line 4, by striking the number “\$700,000” and inserting in lieu thereof the number “\$200,000”

And

Further amend said bill, page 8, Section 2.085, line 22, by inserting immediately after said line the following:

“For the Commissioner of Education to provide grants to rural public schools to construct and develop broadband infrastructure

From General Revenue Fund (0101) \$500,000”;

and

Further amend bill totals accordingly.

Senator Onder moved that the above amendment be adopted, which motion failed.

Senator Hegeman moved that **SCS for HS for HCS for HB 2002**, as amended, be adopted which motion prevailed.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2002**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senators

Burlison	Eigel	O’Laughlin	Onder—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2003, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2003, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2003** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2003** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Libla	Luetkemeyer	May	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Sifton	Wallingford	Walsh	White	Wieland—26		

NAYS—Senators

Burlison	Eigel	Koenig	Schupp	Williams—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2004, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2004, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2004** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004, Page 10, Section 4.160, Line 6, by striking the number “\$2,152,065” and inserting in lieu thereof the number “\$2,202,065”;

and

Further amend section and bill totals accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2004**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **HS** for **HCS** for **HB 2004**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Cunningham	Hegeman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	O’Laughlin	Riddle
Rizzo	Rowden	Schatz	Sifton	Walsh	Wieland	Williams—21

NAYS—Senators

Arthur	Burlison	Crawford	Eigel	Emery	Onder	Sater
Schupp	Wallingford	White—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 1:50 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HB 2005**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for **HS** for **HCS** for **HB 2005**, entitled:

SENATE COMMITTEE SUSBTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2005** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **HS** for **HCS** for **HB 2005** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

Burlison Eigel—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Schatz referred **HCS** for **HB 2120**, with **SCS**, to the Committee on Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HB 2006**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for **HS** for **HCS** for **HB 2006**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman offered **SS** for **SCS** for **HS** for **HCS** for **HB 2006**:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article

IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021.

Senator Bernskoetter assumed the Chair.

Senator Hegeman moved that **SS** for **SCS** for **HS** for **HCS** for **HB 2006** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **HS** for **HCS** for **HB 2006** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison	Eigel	Onder—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for **HCS** for **HB 2007**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for **HS** for **HCS** for **HB 2007**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial

Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2007** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2007** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators

Burlison Eigel—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2008, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2008, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2008** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2008, Page 15, Section 8.155, Line 11, by striking the number “54,615” and inserting in lieu thereof the number “89,511”;

and

Further amend said bill, section 8.155, page 15, line 14 by striking the number “54,674” and inserting in lieu thereof “72,122”;

and

Further amend said bill, section 8.305, page 24, line 11 by inserting immediately after said line the following:

“From State Emergency Management Federal Stimulus Fund (2335) \$100,000;”

and

Further amend section and bill totals accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2008**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **HS** for **HCS** for **HB 2008**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

Burlison Eigel—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2009, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2009, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2009** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2009** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Williams—28

NAYS—Senators

Burlison	Eigel	Wieland—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2010, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2010, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2010** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2010, Page 36, Section 10.700, Line 26, by striking the number “68,053” and inserting in lieu thereof the number “172,003”;

and

Further amend section and bill totals accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman moved that **SCS for HS for HCS for HB 2010**, as amended, be adopted, which motion prevailed.

President Kehoe assumed the Chair.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2010**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	Nasheed
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Sifton

Wallingford Walsh White Williams—25

NAYS—Senators

Arthur Burlison Eigel Onder Schupp Wieland—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2017**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2020, and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2018**, entitled:

An Act to appropriate money for the several departments and offices of state government, and the several divisions and programs thereof, for: the purchase of equipment, planning, expenses, and capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; grants, refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2020 and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2019**, entitled:

An Act to appropriate money for the several departments and offices of state government, and the several divisions and programs thereof, for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2020 and ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2015**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 1768**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

HOUSE BILLS ON THIRD READING

HS for **HCS** for **HB 2011**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for **HS** for **HCS** for **HB 2011**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period

beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2011** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2011, Page 14, Section 11.150, Lines 44-56, by striking all of said lines from the bill;

and

Further amend section and bill total accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2011, Page 30, Section 11.385, Line 36, by striking all of said line from the bill and inserting in lieu thereof the following:

”care providers, including reimbursements to licensed and registered child care providers for COVID-19 related health, safety, disinfecting, and personal protective equipment expenses to prevent them from going out of business and to”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Hegeman moved that **SCS** for **HS** for **HCS** for **HB 2011**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **HS** for **HCS** for **HB 2011**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Hegeman	Hoskins
Hough	Koenig	Libla	Luetkemeyer	May	Nasheed	Onder
Riddle	Rizzo	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Williams—25			

NAYS—Senators

Arthur	Burlison	Eigel	Emery	O’Laughlin	Wieland—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HS for HCS for HB 2012, with **SCS**, entitled:

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Capitol Police Board, Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HS for HCS for HB 2012, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Capitol Police Board, Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HS for HCS for HB 2012** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HS for HCS for HB 2012** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter

Brown

Cierpiot

Crawford

Cunningham

Emery

Hegeman

Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senators

Arthur	Burlison	Eigel	Schupp—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HCS for HB 2013, with SCS, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

SCS for HCS for HB 2013, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up.

Senator Hegeman moved that **SCS for HCS for HB 2013** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HCS for HB 2013** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

Burlison Eigel—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTIETH DAY—WEDNESDAY, MAY 6, 2020

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 2017

HCS for HB 2018

HCS for HB 2019

HB 2015-Smith

HOUSE BILLS ON THIRD READING

1. HCS for HB 1414, with SCS

2. HCS for HB 1682, with SCS (Sater)
(In Fiscal Oversight)

3. HCS for HB 1683, with SCS (Wallingford)
(In Fiscal Oversight)

4. HCS for HB 2049, with SCS (Emery)

5. HB 1963-Fitzwater, with SCS (Libla)
(In Fiscal Oversight)
6. HCS#2 for HB 1896, with SCS (Onder)
(In Fiscal Oversight)
7. HB 1559-Remole, with SCS (Hoskins)
(In Fiscal Oversight)

8. HB 1700-Fishel, with SCS (Hough)
(In Fiscal Oversight)
9. HB 1330-Veit, with SCS (Bernskoetter)
10. HCS for HB 2120, with SCS (Wallingford)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
 SB 524-Sater
 SB 525-Emery, with SCS, SS for SCS & SA 1
 (pending)
 SB 526-Emery, with SCS
 SB 529-Cunningham, with SCS
 SB 530-Cunningham, with SCS, SS for SCS
 & SA 1 (pending)
 SB 531-Wallingford, with SS & SA 1
 (pending)
 SB 537-Libla
 SBs 538, 562 & 601-Libla, with SCS,
 SS for SCS & SA 1 (pending)
 SB 539-Libla, with SA 1 (pending)
 SB 542-Nasheed, with SCS
 SB 548-Hegeman
 SB 555-Riddle
 SB 557-Schatz, with SCS
 SB 558-Schatz, with SCS
 SB 559-Schatz, with SCS
 SB 568-Hoskins, with SCS
 SB 572-Rowden
 SB 575-Eigel, with SS#2 & SA 2 (pending)
 SB 576-Crawford, with SCS
 SB 581-Cierpiot, with SCS
 SB 583-Arthur, with SCS
 SB 586-Bernskoetter, with SCS
 SB 590-Burlison, with SCS
 SB 592-White

SB 595-Hough, with SCS
 SBs 602, 778 & 561-Luetkemeyer, with SCS
 SB 605-O'Laughlin, with SCS
 SB 608-May, with SCS
 SB 612-Emery, with SCS
 SB 613-Emery, with SCS
 SB 615-Cunningham
 SB 625-Libla, with SCS
 SB 633-Hegeman
 SB 636-Wieland
 SB 639-Riddle
 SB 640-Onder
 SB 645-Hoskins, with SCS
 SB 646-Koenig
 SB 647-Koenig, with SCS
 SB 648-Koenig, with SCS, SS#2 for SCS &
 SA 1 (pending)
 SB 649-Eigel
 SB 661-Bernskoetter, with SCS
 SB 665-Burlison
 SB 670-Hough, with SCS, SS for SCS & SA 1
 (pending)
 SB 674-Brown
 SBs 675 & 705-Luetkemeyer, with SCS
 SB 677-Luetkemeyer
 SB 690-Cunningham
 SB 696-Sifton
 SB 699-Riddle, with SCS
 SB 701-Onder

SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS

SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HB 1640-Taylor (Bernskoetter)

SS#2 for SCS for HCS for HB 1854 (Hoskins)
(In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 653-Crawford, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)
(House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford

SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins

SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FIFTIETH DAY—WEDNESDAY, MAY 6, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Do not, therefore, abandon that confidence of yours; for it has great recompense of reward.” (Hebrews 10:35)

Almighty God You call us to be co-workers with You in this world You have created. Help us to boldly address the difficulties and opposition we encounter as we work to do what is most needful at this dreadful time. Help us Lord to face the uphill climb to bring understanding among us. Help us Lord to be the servants You have called to be here at this time and place to do the work we must complete and may we Lord be bold and achieve the recompense of faithfulness to this calling. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1445, regarding Nathanael Brinson, Forsyth, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 662**, entitled:

An Act to repeal sections 89.080, 211.438, 211.439, 435.415, 451.040, 485.060, 523.262, 537.037, 537.065, 537.115, 565.002, 575.040, 575.050, 575.160, 575.270, 575.280, and 576.030, RSMo, and to enact in lieu thereof twenty-six new sections relating to judicial proceedings, with penalty provisions and an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, and 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 1, Section 21.403, Line 8, by deleting the word “**shall**” on said line and inserting in lieu thereof the word “**may**”; and

Further amend said section, Page 2, Lines 11 to 17, by deleting all of said lines and inserting in lieu thereof the following:

“2. After being provided written notice that the individual has immunity under paragraph 3 of this section, the witness shall not refuse to comply with the order on the basis of his or her privilege against self-incrimination.

3. No testimony or other information compelled under such order, or any information directly or indirectly derived from such testimony or other information, shall be used against the witness in any criminal proceeding except for perjury, or giving a false or misleading statement, or contempt committed in answering or failing to answer, or in producing or failing to produce evidence in accordance with the order.”; and

Further amend said substitute, Page 2, Section 21.405, Line 15, by deleting the phrase “**Upon request**” on said line and inserting in lieu thereof the following:

“If under this section, the prosecuting attorney, attorney general, or other attorney having original concurrent jurisdiction, fails to act by commencing a criminal action no later than sixty days after certification of the statement of facts, then for good cause shown”; and

Further amend said substitute, Page 22, Section 575.330, Line 4, by deleting the phrase “**and he or she willfully:**” on said line and inserting in lieu thereof the following:

“and if written notice under subsection 2 of section 21.403 was served, then such notice has been provided, and he or she purposely:”; and

Further amend said page and section, Lines 6 and 7, by deleting said lines and inserting in lieu thereof the following:

“(2) After having appeared, refuses to answer any question necessary to the inquiry; or”; and

Further amend said page and section, Line 8, by deleting the phrase **“required documents.”** on said line and inserting in lieu thereof the following:

“required documents necessary to the inquiry.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 7, Section 441.231, Lines 1-2, by deleting said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 6, Section 301.576, Line 14, by inserting after said section and line the following:

“347.143. 1. A limited liability company may be dissolved involuntarily by a decree of the circuit court for the county in which the registered office of the limited liability company is situated in an action filed by the attorney general when it is established that the limited liability company:

(1) Has procured its articles of organization through fraud;

(2) Has exceeded or abused the authority conferred upon it by law;

(3) Has carried on, conducted, or transacted its business in a fraudulent or illegal manner; or

(4) By the abuse of its powers contrary to the public policy of the state, has become liable to be dissolved.

2. On application by or for a member, the circuit court for the county in which the registered office of the limited liability company is located may decree dissolution of a limited liability company [whenever] if the court determines:

(1) It is not reasonably practicable to carry on the business in conformity with the operating agreement;

(2) Dissolution is reasonably necessary for the protection of the rights or interests of the complaining members;

(3) The business of the limited liability company has been abandoned;

(4) The management of the limited liability company is deadlocked or subject to internal dissension; or

(5) Those in control of the limited liability company have been found guilty of, or have knowingly countenanced, persistent and pervasive fraud, mismanagement, or abuse of authority.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 6, Section 213.012, Line 4, by inserting after said section and line the following:

“270.170. 1. If any swine or sheep shall be found running at large, contrary to the provisions of this chapter, it shall be lawful for any person on whose premises said swine or sheep shall be found to restrain the same forthwith, and give the owner, if known, notice in writing that such person has restrained said swine or sheep, and the amount of damages such person claims in the premises, and requiring the owner to take said swine or sheep away and pay such damages; and such owner shall pay such person a reasonable sum for taking up, feeding and caring for the same, and the actual damages done by said swine or sheep. If such owner fails to comply with the provisions of this section within three days after receiving such notice, or if the owner of such swine or sheep be unknown, such swine or sheep shall be disposed of in the manner provided for in section 270.180.

2. Any swine not conspicuously identified by ear tags or other forms of identification that were born in the wild or that lived outside of captivity for a sufficient length of time to be considered wild by nature by hiding from humans or being nocturnal shall be considered feral hogs. Any person may **at any time** take or kill **any number of** such feral hogs on such person’s own property, **on any other person’s private property with the permission of the property owner, or on any publicly owned land. Such taking or killing shall be performed as provided by law, except that this provision shall not be construed to require any person to obtain any permit for such taking or killing or to authorize the state or any political subdivision thereof to require a permit for such taking or killing.**

270.270. 1. Any person possessing or transporting live Russian or European wild boar or wild-caught swine on or through public land without a Missouri department of agriculture permit is guilty of a class A misdemeanor. Each violation of this subsection shall be a separate offense.

2. Any law enforcement officer, any agent of the conservation commission, or the state veterinarian is authorized to enforce the provisions of this section, section 270.260, and section 270.400.

3. Nothing in this chapter shall be construed to allow any person taking, killing, or transporting any feral hog to trespass on any property not owned by such person in violation of any provision of chapter 569.

270.400. 1. For purposes of this section, the following terms mean:

(1) “Feral hog”, any hog, including Russian and European wild boar, that is not conspicuously identified by ear tags or other forms of identification and is roaming freely upon public or private lands without the landowner’s permission;

(2) “Landowner’s agent”, any person who has permission from a landowner to be present on the landowner’s property.

2. A person may kill a feral hog roaming freely upon such person’s land and shall not be liable to the owner of the hog for the loss of the hog.

3. Any person may take or kill a feral hog on public land or private land with the consent of the landowner; except that, during the firearms deer and turkey hunting season, the regulations of the Missouri wildlife code shall apply. Such person shall not be liable to the owner of the hog for the loss of such hog.

4. [No person except a landowner or such landowner’s agent on such landowner’s property shall take, attempt to take, or kill a feral hog with the use of an artificial light.

5.] The director of the department of agriculture shall promulgate rules for fencing and health standards for Russian and European wild boar and wild-caught swine held alive on private land. Any person holding

Russian or European wild boar or wild-caught swine on private land shall annually submit an application to the department for a permit. Any applicant that successfully meets the requirements under this section as determined by the department and pays an application fee shall be issued a permit.

[6.] **5.** Russian and European wild boar and wild-caught swine may move only from a farm to a farm or directly to slaughter or to a slaughter-only market. The department shall promulgate rules for exemption permits and a fee structure to offset the actual and necessary costs incurred to enforce the provisions of this section.

[7.] **6.** (1) There is hereby created in the state treasury the “Animal Health Fund”, which shall consist of all fees and administrative penalties collected by the department of agriculture under this section and section 270.260. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, moneys in the fund shall be used for the administration of this section and section 270.260.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[8.] **7.** Any person who violates subsection 2 of section 270.260 may, in addition to the penalty imposed under section 270.260, be assessed an administrative penalty of up to one thousand dollars per violation. Any person who is assessed an administrative penalty under this section shall be notified in writing of the right to appeal. Such person may request a hearing before the director of the department of agriculture. Such request shall be made in writing no later than thirty days after the date on which the person was notified of the violation of section 270.260.

[9.] **8.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

[10.] **9.** Nothing in this section shall be construed to apply to domestic swine.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 17, Section 537.115, Line 47, by inserting after all of said section and line the following:

“537.328. 1. As used in this section, the following terms mean:

(1) “Camping”, all aspects of visiting, staying at, using, and leaving a private campground, including lodging of all types;

(2) “Inherent risks of camping”, those dangers, hazards, or conditions that are an integral part of camping including, but not limited to, the following:

(a) Features of the natural world, such as trees, tree stumps, naturally occurring infectious agents,

roots, brush, rocks, mud, sand, standing and moving water, and soil;

(b) Uneven and unpredictable terrain;

(c) Natural bodies of water and accessories permitting the use of natural bodies of water, including piers, docks, swimming and aquatic sports, or recreation facilities or areas;

(d) Another camper or visitor at the private campground acting in a negligent manner, if the private campground owner or an employee or officer of the private campground owner is not involved;

(e) A lack of lighting, including lighting at campsites;

(f) Campfires in a fire pit or an enclosure provided by the private campground;

(g) Weather and weather-related events;

(h) Insects, birds, and other wildlife;

(i) A violation of safety rules or a disregard for signs or other methods of communicating warnings;

(j) Actions by a camper or visitor that exceed his or her physical limitations or abilities;

(k) Animals of other campers or visitors that cause injury, unless the private campground owner or an employee or officer of the private campground owner has accepted responsibility for care of the animal;

(l) Damage caused by fireworks from a camper, visitor, or offsite entity not authorized by the private campground owner or employee or officer of a private campground owner;

(m) Any person coming onto the campsite not reported to the private campground owner or an employee or officer of the private campground owner;

(3) “Private campground”, any parcel or tract of land, including buildings and other structures, that is owned or operated by a private property owner where five or more campsites are made available for use as temporary living quarters for recreational, camping, travel, or seasonal use. The term “private campground” shall also include recreational vehicle parks.

2. Except as provided in subsection 4 of this section, a private campground owner or an employee or officer of a private campground owner shall not be liable for acts or omissions related to camping at a private campground if a person is injured or killed or property is damaged as a result of an inherent risk of camping.

3. This section shall not apply to any employer-employee relationship governed by the provisions of chapter 287.

4. The provisions of subsection 2 of this section shall not prevent or limit liability of a private campground owner or an employee or officer of a private campground owner who:

(1) Intentionally causes the injury, death, or property damage;

(2) Acts with a willful or wanton disregard for the safety of the person or property damaged. As used in this subdivision, “willful and wanton” means conduct committed with an intentional or reckless disregard for the safety of others; or

(3) Fails to conspicuously post warning signs of a dangerous, inconspicuous condition known to the owner of the private campground, or his or her employees or officers, on the property that the owner owns, leases, rents, or is otherwise in lawful control of or in possession of if the owner, employee, or officer is aware of the condition by reason of a prior injury involving the same location or the same mechanism of injury.

Such warning signs shall appear in black letters on a white background with each letter to be a minimum of one inch in height.

5. Every written contract entered into by a private campground owner or an employee or officer of a private campground owner shall contain, in clearly readable print, the warning notice specified in this subsection. The signs described in subdivision (3) of subsection 4 of this section and contracts described in this subsection shall contain the following warning notice:

“WARNING

Under Missouri law, a private campground owner or an employee or officer of a private campground owner is not liable for an injury to or the death of a person or any property damage resulting from the inherent risks of camping under the Revised Statutes of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6**

Amend House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 1, Line 1, by inserting after the number “662,” the following:

“Page 17, Section 550.125, Line 20, by inserting after the word “**county.**” the following:

“If the amount disbursed is less than the costs described in subsection 2 of this section, the county in which the capital case originated shall reimburse the county to which the case was transferred for the difference.”; and

Further amend said bill,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 23, Section 576.030, Line 7, by inserting after said section and line the following:

“577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined in section 301.010, or the highway's right-of-way;

(d) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of two or more persons; or

(e) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

(7) A class A felony if the defendant has previously been found guilty of an offense under paragraphs (a) to (e) of subdivision (6) of this subsection and is found guilty of a subsequent violation of such paragraphs.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of driving while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days **involving at least two hundred forty hours** of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic or habitual offender shall not be eligible for parole or probation until he or she has

served a minimum of two years imprisonment; and

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.

577.012. 1. A person commits the offense of driving with excessive blood alcohol content if such person operates:

(1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood; or

(2) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of driving with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual offender.

4. A person found guilty of the offense of driving with an excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of driving with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

7. A person found guilty of driving with excessive blood alcohol content:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days **involving at least four hundred eighty hours** of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic or habitual offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; and

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 2, Section 21.405, Line 20, by inserting after all of said section and line the following:

“57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return

or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars in any calendar year shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff[, or any other person specially appointed to serve in a county that receives funds under section 57.278,] shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff[, or any other person specially appointed to serve in a county that receives funds under section 57.278,] under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit

such moneys in the deputy sheriff salary supplementation fund created under section 57.278.

5. Notwithstanding the provisions of subsection 3 of this section to the contrary, the court clerk shall collect ten dollars as a court cost for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section when any person other than a sheriff is specially appointed to serve in a county that receives funds under section 57.278. The money received by the clerk under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill, Page 9, Section 485.060, Line 23, by inserting after all of said section and line the following:

“488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, as provided in section 57.280, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars, as provided in section 57.280; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled, as provided in section 57.280, to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to section 57.280 shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of such charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall, as provided in section 57.280, receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his or her agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs, as provided in section 57.280, for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, as provided in section 57.280, going and returning from the courthouse of the county in which he or she resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. As provided in subsection 4 of section 57.280, the sheriff shall receive ten dollars for service of any

summons, writ, subpoena, or other order of the court included under subsection 1 of section 57.280, in addition to the charge for such service that each sheriff receives under subsection 1 of section 57.280. The money received by the sheriff under subsection 4 of section 57.280 shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.

4. The court clerk shall collect ten dollars as a court cost for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section when any person other than a sheriff is specially appointed to serve in a county that receives funds under section 57.278. The money received by the clerk under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 4, Section 160.082, Line 30, by inserting after all of said section and line the following:

“196.931. As used in sections 196.931 to 196.953 unless the context clearly indicates otherwise, the following words and terms shall have the meaning indicated:

(1) “Grade A pasteurized milk”, grade A raw milk for pasteurization which has been pasteurized, cooled, and placed in the final container in a milk plant and conforming with the sanitation and bacteriological standards authorized by sections 196.931 to 196.953 and regulations promulgated thereunder;

(2) “Grade A raw milk for pasteurization”, raw milk for pasteurization from producer dairies and conforming with all of the sanitation and bacteriological standards authorized by sections 196.931 to 196.953 and regulations which are promulgated thereunder;

(3) **“Grade A retail raw milk or cream”, raw milk or cream produced upon dairy farms conforming to sanitation and bacteriological standards that meet or exceed that of grade A pasteurized milk;**

(4) “Graded fluid milk and fluid milk products”, milk products include cream, light cream, coffee cream, table cream, whipping cream, light whipping cream, heavy cream, heavy whipping cream, whipped cream, whipped light cream, whipped coffee cream, whipped table cream, sour cream, cultured sour cream, half-and-half, sour half-and-half, cultured half-and-half, reconstituted or recombined milk and milk products, concentrated milk, concentrated milk products, skim milk, skimmed milk, lowfat milk, fortified milk and milk products, vitamin D milk and milk products, homogenized milk, flavored milk or milk products, eggnog, eggnog flavored milk, eggnog flavored lowfat milk, buttermilk, cultured buttermilk, cultured milk, cultured whole milk buttermilk, and acidified milk and milk products, and other fluid milk and fluid milk products so declared by the board which are sold, offered for sale, exposed for sale, delivered or advertised as graded milk and milk products;

[(4)] (5) “Manufacturing raw milk”, milk that does not meet the requirements of grade A raw milk for pasteurization as defined in sections 196.931 to 196.959;

[(5)] (6) “Milk plant”, any place, premises or establishment where graded fluid milk or fluid milk products are collected, handled, processed, stored, bottled, pasteurized and prepared for distribution, except an establishment where graded fluid milk products are sold at retail as purchased from a milk plant;

[(6)] (7) “Milk plant operator”, any person, firm, corporation or association operating any milk plant;

[(7)] (8) “Milk producer”, any person who operates a dairy farm and provides, sells, or offers milk for sale to a milk plant, receiving station, or transfer station;

[(8)] (9) “Official rating agency”, the state milk board;

[(9)] (10) “Official rating survey”, the survey conducted by the official state rating agency, as required by sections 196.931 to 196.953;

[(10)] (11) “Person” [shall mean] , an individual or individuals, or a firm, partnership, company, corporation, trustee, or association;

[(11)] (12) “Political subdivision”, any municipality, city, incorporated town, village, county, township, district or authority, or any portion or combination of two or more thereof;

[(12)] (13) “State department of agriculture”, the department of agriculture of Missouri;

[(13)] (14) “State department of health and senior services”, the department of health and senior services of Missouri;

[(14)] (15) “State milk board”, an appointed state agency functioning as administrator of state milk inspection; [and]

[(15)] (16) “State milk inspection”, the services of inspection, regulation, grading, and program evaluation of fluid milk and fluid milk products by agents, representatives or employees of the state milk board under the terms and provisions of sections 196.931 to 196.959 and regulations adopted to regulate the production, transportation, processing, manufacture, distribution and sale of graded fluid milk and fluid milk products.

196.935. 1. No person shall sell, offer for sale, expose for sale, transport, or deliver any graded fluid milk or graded fluid milk products in this state unless the milk or milk products are graded and produced, transported, processed, manufactured, distributed, labeled and sold under state milk inspection and the same has also been produced or pasteurized as required by a regulation authorized by section 196.939 and under proper permits issued thereunder. Only pasteurized graded fluid milk and fluid milk products as defined in subdivision [(3)] (4) of section 196.931 shall be sold to the final consumer, or to restaurants, soda fountains, grocery stores, or similar establishments; except **that:**

(1) Grade A retail raw milk or cream produced in Missouri may be sold to grocery stores, restaurants, soda fountains, or similar establishments as long as:

(a) The grade A retail raw milk or cream is clearly labeled “WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems”; and

(b) If the grade A retail raw milk or cream is sold in a manner that does not allow the final consumer to see the product with the label described in paragraph (a) of this subdivision, the label is presented to the consumer through a written notice on the menu or in some other manner; and

(2) An individual, who is the final consumer, may purchase and have delivered to him or her for his

or her own use raw milk or cream from a farm.

2. No bottler or distributor of grade A retail raw milk or cream shall expose for sale, transport, or deliver any milk in this state unless the milk has been inspected by the state milk board at an interval set by the board but not less than quarterly.

3. Any dairy farm producing grade A retail raw milk or cream shall have its herd accredited or certified by the United States Department of Agriculture as a tuberculosis-free and a brucellosis-free herd. While the herd is in the process of qualifying for such United States Department of Agriculture accreditation or certification, all animals in the herd shall be tested annually for tuberculosis and brucellosis until such herd is accredited or certified.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 19, Section 565.002, Line 54, by deleting the word “**and**”; and

Further amend said bill, page, and section, Line 56, by deleting the words “**charter school;**” and inserting in lieu there of the following

“charter school; or

(m) A sports official assaulted at a sporting event while the sports official is performing his or her duties as a sports official or as a direct result of such duties. A sporting event shall include all levels of competition. A sports official shall include, but not be limited to, a judge, linesman, official, referee, or umpire. To qualify as a sports official, a person shall be trained and certified or registered as such by an organization engaged in the education, training, and certifying or registering of sports officials.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 662, Page 9, Section 451.040, Line 55, by inserting after said line the following:

“7. In the event a recorder of deeds utilizes an online process to accept applications for a marriage license or to issue a marriage license and the applicants’ identity has not been verified in person, the recorder shall have a two-step identity verification process or a process that independently verifies the identity of such applicants. Such process shall be adopted as part of any electronic system for marriage licenses if the applicants do not present themselves to the recorder or his or her designee in person. It shall be the responsibility of the recorder to ensure any process adopted to allow electronic application or issuance of a marriage license verifies the identities of both applicants. The recorder shall not accept applications for or issue marriage licenses through the process provided in this subsection unless at least one of the applicants is a resident of the county or city not within a county in which the application was submitted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency Clause Defeated.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2017—Appropriations.

HCS for HB 2018—Appropriations.

HCS for HB 2019—Appropriations.

HB 2015—Appropriations.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HB 1963**, with **SCS**; **HB 1700**, with **SCS**; **SS No. 2** for **SCS** for **HCS for HB 1854**; **HCS No. 2** for **HB 1896**, with **SCS**; **HB 1559**, with **SCS**; **HCS for HB 1682**, with **SCS**; and **HCS for HB 1683**, with **SCS**; begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Hegeman moved that the Senate refuse to recede from its position on **HB 1768**, with **SS** for **SCS**, as amended, and grant the House a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Sater, **HCS for HB 1414**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS for HB 1682**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS for HB 1683**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **HCS for HB 2049**, with **SCS** was placed on the Informal Calendar.

HB 1963, introduced by Representative Fitzwater, with **SCS**, entitled:

An Act to repeal section 227.600, RSMo, and to enact in lieu thereof one new section relating to high speed transportation.

Was taken up by Senator Libla.

SCS for HB 1963, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1963

An Act to repeal sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, and 577.001 RSMo, and to enact in lieu thereof forty new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

Was taken up.

Senator Libla moved that **SCS** for **HB 1963** be adopted.

Senator Libla offered **SS** for **SCS** for **HB 1963**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1963

An Act to repeal sections 32.300, 137.115, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-three new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

Senator Libla moved that **SS** for **SCS** for **HB 1963** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 26, Section 227.600, Line 19 of said page, by inserting after all of said line the following:

“227.803. The portion of State Highway 7 from County Road 221 West continuing to Calvird Drive in the city of Clinton in Henry County shall be designated as “Police Officer Ryan Morton Memorial Highway”. The department shall erect and maintain appropriate signs designating such highway with the costs to be paid for by private donations.

227.804. The portion of State Highway 13 from State Highway 52 West continuing to Calvird Drive in the city of Clinton in Henry County shall be designated as “Police Officer Gary Lee Michael, Jr. Memorial Highway”. The department shall erect and maintain appropriate signs designating such highway with the costs to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.

Senator Emery offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 1, Line 5 of said amendment, by inserting immediately after “Officer” the following: **“Christopher”**.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Emery moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Williams offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 115, Section 301.3174, Line 5, by inserting immediately after said line the following:

“301.3176. 1. Any vehicle owner may apply for “BackStoppers” license plates for any motor

vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Upon making a ten dollar contribution to the BackStoppers General Operating Fund or to the BackStoppers Education Fund, the vehicle owner may apply for the “BackStoppers” plate. If the contribution is made directly to the BackStoppers General Operating Fund or to the BackStoppers Education Fund, the organization shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the “BackStoppers” license plate. If the contribution is made directly to the director of revenue pursuant to section 301.3031, the director shall note the contribution and the owner may then apply for the “BackStoppers” plate. The applicant for such plate shall pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of “BackStoppers” plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. The “BackStoppers” plate shall bear the emblem of a thin blue line encompassed in black as prescribed by the director of revenue and shall have the word “BACKSTOPPERS”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

2. The director of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Williams moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 22, Section 144.805, Line 20 of said page, by inserting immediately after all of said line the following:

“163.164. 1. Notwithstanding any provision of law to the contrary, in any fiscal year in which the total appropriation for the formula pursuant to section 163.031 is in excess of the amount reimbursed to public schools, the department of elementary and secondary education shall transfer such excess cash balances by the fifteenth day of the succeeding fiscal year to the school transportation fund established in this section.

2. (1) There is hereby created in the state treasury the “School Transportation Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be administered by the commissioner of the department of elementary and secondary education. The school transportation fund shall consist of moneys transferred by the department pursuant to

subsection 1 of this section, to be used by public school districts to provide transportation to students. Such funds shall be paid to public school districts in addition to the state aid provided for transportation pursuant to section 163.161, based on the cost of pupil transportation in accordance with section 163.161.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The provisions of this section shall not apply in any year in which state transportation aid reaches seventy-five percent of the total allowable cost of transporting all pupils eligible to be transported.”; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Crawford offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 143, Section 303.026, Line 20 of said page, by inserting immediately after all of said line the following:

“303.200. 1. After consultation with insurance companies [authorized to issue automobile liability policies] **having a certificate of authority to do business** in this state **and actively writing motor vehicle liability policies**, the director of the department of commerce and insurance, **hereinafter referred to as the “director”**, shall approve a reasonable plan [or plans for the equitable apportionment among such companies of applicants for such policies and for personal automobile and commercial motor vehicle liability] **to provide motor vehicle insurance policies to applicants** who are in good faith entitled to but are unable to procure such policies through ordinary methods. **The plan shall be known as the Missouri Automobile Insurance Plan, hereinafter referred to as the “plan”**. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. [The plan manager, on the plan’s behalf, shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October first of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Except as provided in subsection 2 of this section, any company that does not so notify a plan established for handling coverage for personal automobile risks shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company’s market share as determined by the company’s writings of personal automobile risks in the voluntary market.] Any applicant for [any such] **a policy under the plan**, any person insured under [any such] **the plan**, and any insurance company affected may appeal to the director from any ruling or decision of the [manager or committee designated to operate such] plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree. [As used in this section, the term “personal automobile” means a private passenger nonfleet vehicle, motorcycle, camper and travel trailer, antique auto, amphibious auto, motor home, named nonowner

applicant, or a low-speed vehicle subject to chapter 304 which is not primarily used for business or nonprofit interests and which is generally used for personal, family, or household purposes.

2. If the total premium volume for any one plan established for handling coverage for personal automobile risks exceeds ten million dollars in a calendar year, a company with more than five percent market share of such risks in Missouri shall not be excused from accepting and servicing applicants and policies of such plan under subsection 1 of this section for the next calendar year, unless the governing body of the plan votes to allow any company with such market share the option to be excused.]

2. The plan shall perform its functions under a plan of operation and through a governing committee as prescribed in the plan of operation. Any plan of operation, prior to being placed in effect, shall be filed with and approved by the director. Any amendments to the plan of operation so adopted shall also be filed with and approved by the director prior to being placed in effect.

3. The plan of operation shall prescribe the issuance of motor vehicle insurance policies by the plan, which may include the administration of such policies by:

(1) A third-party administrator that has a certificate of authority to do business in this state;

(2) A nationally recognized management organization and service provider that specializes in the administration of motor vehicle insurance residual market mechanisms, subject to the approval of the director; or

(3) An insurance company that has a certificate of authority to do business in this state.

4. No form of a policy, endorsement, rider, manual of classifications, rules, or rates, no rating plan, nor any modification of any of them proposed to be used by the plan shall be used prior to approval by the director.

5. Any policy of insurance issued by the plan shall conform to the provisions of this chapter and any insurance law of this state applicable to motor vehicle insurance policies, except any law that specifically exempts the plan from the purview of the law.

6. The plan shall:

(1) File with the director, no later than June thirtieth of each year, annual audited financial reports for the preceding year;

(2) Be subject to examination by the director under sections 374.205 to 374.207;

(3) Have the authority to make assessments on member insurance companies if the funds from policyholder premiums and other revenues are not sufficient for the sound operation of the plan. An assessment upon a member insurance company shall be in the same proportion to its share of the voluntary market premium for the type of policies written under the plan. The procedures for levying assessment shall be prescribed in the plan of operation.

7. There shall be no liability imposed on the part of, and no cause of action of any nature shall arise against, any member insurer or any member of the governing committee for any omission or action taken by them in the performance of their powers and duties under this section.”; and

Further amend the title and enacting clause accordingly.

Senator Crawford moved that the above amendment be adopted, which motion prevailed.

Senator Burlison offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 75, Section 301.193, Line 7 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and

Further amend said bill and section, Page 76, Line 2 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and

Further amend said bill and section, Page 77, Line 10 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and further amend line 14 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and further amend line 15 of said page, by inserting after “pool’s” the following: **“or salvage dealer and dismantler’s”**; and further amend line 16 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and further amend line 18 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and further amend line 21 of said page, by inserting after “pool’s” the following: **“or salvage dealer and dismantler’s”**; and further amend line 25 of said page, by inserting after “pool’s” the following: **“or salvage dealer and dismantler’s”**; and

Further amend said bill and section, Page 78, line 16 of said page, by striking said line and inserting in lieu thereof the following: **“salvage pool or salvage dealer and dismantler, the director shall inform the salvage pool or salvage dealer and dismantler of such”**; and further amend line 17 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and further amend line 18 of said page, by inserting after “pool’s” the following: **“or salvage dealer and dismantler’s”**; and further amend line 23 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**; and

Further amend said bill and section, Page 80, Line 21 of said page, by inserting after “pool” the following: **“or salvage dealer and dismantler”**.

Senator Burlison moved that the above amendment be adopted, which motion prevailed.

Senator O’Laughlin offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 26, Section 227.600, Line 19 of said page, by inserting after all of said line the following:

“5. Under no circumstances shall a public right-of-way necessary for the expansion of Interstate 70 be materially impeded by or transferred to a public-private partnership for the purpose of constructing a tube transport system.”.

Senator O’Laughlin moved that the above amendment be adopted, which motion prevailed.

Senator Eigel offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 7, Section 137.115, Lines 9-11 of said page, by striking all of said lines and inserting in lieu thereof the following:

“(4) Motor vehicles [which are eligible for registration as and are registered as historic motor vehicles

pursuant to section 301.131 and] **in excess of five years old, one percent;**

(5) Aircraft which are at least twenty-five years”; and further amend said section by renumbering the subdivisions accordingly.

Senator Eigel moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Emery, Hoskins, Nasheed and Wallingford.

Senator Rowden assumed the Chair.

President Kehoe assumed the Chair.

Senator Schupp offered **SA 1 to SA 7**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 7

Amend Senate Amendment No. 7 for Senate Substitute for Senate Committee Substitute for House Bill No. 1963, Page 1, Line 7, by inserting immediately after “and” the following: “further amend line 13 by striking the following: “[fifty] **two hundred**” and inserting in lieu thereof the following: “fifty”; and”.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Libla, **HB 1963**, with **SCS, SS for SCS, SA 7 and SA 1 to SA 7** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS for HS for HCS for HB 2002**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS for HS for HCS for HB 2003**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS for HS for HCS for HB 2004**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS for HS for HCS for HB 2005**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS for SCS for HS for HCS for HB 2006**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2007**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2008**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2009**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2010**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2011**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HS** for **HCS** for **HB 2012**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2013**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1768**, as amended: Senators Hegeman, Sater, Crawford, Rizzo and Arthur.

PRIVILEGED MOTIONS

Senator Luetkemeyer moved that the Senate refuse to recede from its position on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended, and grant the House a conference thereon, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 2:45 p.m.

RECESS

The time of recess having expired, the Senate was call to order by President Kehoe.

HOUSE BILLS ON THIRD READING

Senator Hoskins moved that **SS No. 2** for **SCS** for **HCS** for **HB 1854**, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS No. 2 for **SCS** for **HCS** for **HB 1854** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Cierpiot	Crawford	Cunningham	Hegeman	Hoskins
Hough	Koenig	May	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Walsh	White	Wieland	Williams—21

NAYS—Senators

Brown	Burlison	Eigel	Emery	Libla	Luetkemeyer	Nasheed
O’Laughlin	Onder	Wallingford—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause failed of adoption by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Cierpiot	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	O’Laughlin	Riddle	Rizzo	Rowden
Sater	Schatz	Sifton	Walsh	White	Wieland	Williams—21

NAYS—Senators

Brown	Burlison	Eigel	Libla	Luetkemeyer	May	Nasheed
Onder	Schupp	Wallingford—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hoskins, title to the bill was agreed to.

Senator Hoskins moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Hegeman requested unanimous consent of the Senate to be allowed to make one motion to send **SCS for HS for HCS for HB 2002; SCS for HS for HCS for HB 2003; SCS for HS for HCS for HB 2004; SCS for HS for HCS for HB 2005; SCS for HS for HCS for HB 2006; SCS for HS for HCS for HB 2007; SCS for HS for HCS for HB 2008; SCS for HS for HCS for HB 2009; SCS for HS for HCS for HB 2010; SCS for HS for HCS for HB 2011; SCS for HS for HCS for HB 2012; and SCS for HCS for HB 2013** to conference in one motion, which request was granted.

Senator Hegeman moved that the Senate refuse to recede from its position on **SCS for HS for HCS for HB 2002; SCS for HS for HCS for HB 2003; SCS for HS for HCS for HB 2004; SCS for HS for HCS for HB 2005; SCS for HS for HCS for HB 2006; SCS for HS for HCS for HB 2007; SCS for HS for HCS for HB 2008; SCS for HS for HCS for HB 2009; SCS for HS for HCS for HB 2010; SCS for HS for HCS for HB 2011; SCS for HS for HCS for HB 2012; and SCS for HCS for HB 2013**, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS No. 2 for SCS for HB 1450, HB 1296, HCS for HB 1331 and HCS for HB 1898**, as amended: Senators Luetkemeyer, Onder, Emery, Sifton and May.

HOUSE BILLS ON THIRD READING

HCS No. 2 for HB 1896, with **SCS**, entitled:

An Act to amend chapters 191 and 195, RSMo, by adding thereto two new sections relating to background checks in the medical marijuana industry, with a penalty provision and an emergency clause for a certain section.

Was taken up by Senator Onder.

SCS for HCS No. 2 for HB 1896, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR HOUSE BILL NO. 1896

An Act to repeal sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Onder moved that **SCS for HCS No. 2 for HB 1896** be adopted.

Senator Onder offered **SS for SCS for HCS No. 2 for HB 1896**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 1896

An Act to repeal sections 191.1146, 195.015, 195.017, 195.417, 579.060, 579.065, and 579.068, RSMo, and to enact in lieu thereof nine new sections relating to controlled substances, with penalty provisions and an emergency clause for a certain section.

Senator Onder moved that **SS** for **SCS** for **HCS No. 2** for **HB 1896** be adopted.

Senator Hoskins offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 1896, Page 51, Section 195.805, Line 2, by inserting after the word “package” the following: “, or packages within a package,”.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 1896, Pages 48-50, Section 195.417, by striking all of said section and inserting in lieu thereof the following:

“195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than [nine] **seven and two-tenths** grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. Within any twelve-month period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or**
- (2) One of the active ingredients of a combination drug; or**
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;**

in any total amount greater than twenty-eight and eight-tenths grams, without regard to the number of transactions.

5. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[5.] **6. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.**

7. No prescription shall be required for the dispensation, sale, or distribution of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits described in subsections 2, 3, and 4 of this section. The superintendent of the Missouri state highway patrol shall report to the revisor of statutes and the general assembly by February first when the statewide number of methamphetamine laboratory seizure incidents exceeds three hundred incidents in the previous calendar year. The provisions of this subsection shall expire on April first of the calendar year in which the revisor of statutes receives such notification.

[6.] **8. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.**

9. Any local ordinances or regulations enacted by any political subdivision of the state prior to August 28, 2020, requiring a prescription for the dispensation, sale, or distribution of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits

described in subsections 2, 3, and 4 of this section shall be void and of no effect and no such political subdivision shall maintain or enforce such ordinance or regulation.

[7.] **10.** All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

[8.] **11.** All persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[9.] **12.** The penalty for a knowing or reckless violation of this section is found in section 579.060.”; and

Further amend said bill, pages 53-56, section 579.060, by striking all of said section and inserting in lieu thereof the following:

“579.060. 1. A person commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in a total amount greater than [nine] **seven and two-tenths** grams to the same individual within a thirty-day period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Purchases, receives, or otherwise acquires within a thirty-day period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than [nine] **seven and two-tenths** grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(3) Purchases, receives, or otherwise acquires within a twenty-four-hour period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than three and six-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or

(4) **Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in a total amount greater than twenty-eight and eight-tenths grams to the same individual within a twelve-month period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or**

(5) **Purchases, receives, or otherwise acquires within a twelve-month period any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers in a total amount greater than twenty-eight and eight-tenths grams, without regard to the number of transactions, unless the amount is purchased, received, or acquired pursuant to a valid prescription; or**

(6) Dispenses or offers drug products that are not excluded from Schedule V in subsection 17 or 18 of section 195.017 and that contain detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, without ensuring that such products are located behind a pharmacy counter where the public is not permitted and that such products are dispensed by a registered pharmacist or pharmacy technician under subsection 11 of section 195.017; or

[(5)] (7) Holds a retail sales license issued under chapter 144 and knowingly sells or dispenses packages that do not conform to the packaging requirements of section 195.418.

2. A pharmacist, intern pharmacist, or registered pharmacy technician commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if he or she knowingly:

(1) Sells, distributes, dispenses, or otherwise provides any number of packages of any drug product containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in a total amount greater than three and six-tenth grams to the same individual within a twenty-four hour period, unless the amount is dispensed, sold, or distributed pursuant to a valid prescription; or

(2) Fails to submit information under subsection 13 of section 195.017 and subsection [5] 6 of section 195.417 about the sales of any compound, mixture, or preparation of products containing detectable amounts of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts, optical isomers, or salts of optical isomers, in accordance with transmission methods and frequency established by the department of health and senior services; or

(3) Fails to implement and maintain an electronic log, as required by subsection 12 of section 195.017, of each transaction involving any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers or ephedrine, its salts, optical isomers, or salts of optical isomers; or

(4) Sells, distributes, dispenses or otherwise provides to an individual under eighteen years of age without a valid prescription any number of packages of any drug product containing any detectable quantity of pseudoephedrine, its salts, isomers, or salts of optical isomers, or ephedrine, its salts or optical isomers, or salts of optical isomers.

3. Any person who violates the packaging requirements of section 195.418 and is considered the general owner or operator of the outlet where ephedrine, pseudoephedrine, or phenylpropanolamine products are available for sale shall not be penalized if he or she documents that an employee training program was in place to provide the employee who made the unlawful retail sale with information on the state and federal regulations regarding ephedrine, pseudoephedrine, or phenylpropanolamine.

4. The offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs is a class A misdemeanor.”.

Senator Schatz moved that the above amendment be adopted.

Senator Bernskoetter offered SA 1 to SA 2, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House

Committee Substitute No. 2 for House Bill No. 1896, Page 2, Section 195.417, Line 26, by striking the words “twenty-eight and eight-tenths” and inserting in lieu thereof the following: “**forty-three and two-tenths**”; and

Further amend said amendment, page 6, section 579.060, line 1, by striking the words “twenty-eight and eight-tenths” and inserting in lieu thereof the following: “**forty-three and two-tenths**”; and further amend line 10, by striking the words “twenty-eight and eight-tenths” and inserting in lieu thereof the following: “**forty-three and two-tenths**”.

Senator Bernskoetter moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SA 2**, as amended, be adopted, which motion prevailed.

Senator Onder moved that **SS** for **SCS** for **HCS No. 2** for **HB 1896**, as amended, be adopted, which motion prevailed.

On motion of Senator Onder, **SS** for **SCS** for **HCS No. 2** for **HB 1896**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

May Nasheed—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

May Nasheed—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

At the request of Senator Hoskins, **HB 1559**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hough, **HB 1700**, with **SCS** was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 618**, entitled:

An Act to repeal sections 67.5122, 144.030, 393.1009, 393.1012, 393.1015, 442.404, 523.262, 610.021, 620.2451, and 620.2459, RSMo, and to enact in lieu thereof fourteen new sections relating to utilities.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“67.5122. Sections 67.5110 to 67.5122 shall expire on January 1, [2021] **2025**, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation.”; and

Further amend said bill, Pages 1-12, Section 144.030, Lines 1-402, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 13, Section 393.1009, Line 41, by inserting after the word “filing” the following:

“associated with eligible system replacements less annual depreciation expenses and property taxes associated with any related facility retirements”; and

Further amend said bill, Page 18, Section 393.1015, Lines 102-103, by deleting the words **“subject to commission approval,”** and inserting in lieu thereof the words **“the commission shall issue an order to refund those amounts, and”** ; and

Further amend said bill, Pages 18-19, Section 393.1900, Lines 1-14, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 26, Section 640.145, Line 12, by inserting after all of said section and line the following:

“701.200. 1. Subject to appropriations, each school district, as such term is defined in section 160.011, may test a sample of a source of potable water in a public school building in that district serving students under first grade and constructed before 1996 for lead contamination in accordance with guidance provided by the department of health and senior services. The school district may submit the samples to a department-approved laboratory for analysis for lead and provide the written sampling results to the department within seven days of receipt.

2. The department shall develop guidance for schools in collecting and testing first-draw samples of potable water. The department shall develop and make publicly available a list of approved laboratories for lead analysis.

3. If any of the samples exceed current standards for parts per billion of lead established by the U.S. Environmental Protection Agency, the school district shall promptly provide individual notification of the sampling results, by written or electronic communication, to the parents or legal guardians of all enrolled students and include the following information: the corresponding sampling location within the building and the U.S. Environmental Protection Agency’s website for information about lead in drinking water. If any of the samples taken in the building are at or below five parts per billion, notification may be made as provided in this subsection or by posting on the school’s website.

4. The department may promulgate rules and regulations necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

5. As used in this section, the term “source of potable water” shall mean the point at which nonbottled water that may be ingested by children or used for food preparation exits any tap, faucet, drinking fountain, wash basin in a classroom occupied by children or students under first grade, or similar point of use; provided, that all bathroom sinks and wash basins used by janitorial staff are excluded from this definition.”; and

Further amend said bill and page, Section 67.5122, Lines 1-5, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

“393.355. 1. As used in this section, the following terms shall mean:

(1) “Electrical corporation”, the same meaning given to the term in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110;

(2) “Facility”, a:

(a) Facility whose primary industry is the [smelting] **processing** of [aluminum and] primary metals[, Standard Industrial Classification Code 3334];

(b) Facility whose primary industry is the production or fabrication of steel, North American Industrial Classification System 331110; or

(c) Facility with a new or incremental increase in load equal to or in excess of a monthly demand of fifty megawatts.

2. Notwithstanding section 393.130 or any other provision of law to the contrary, the public service commission shall have the authority to approve a special rate, outside a general rate proceeding, that is not based on the electrical corporation's cost of service for a facility if:

(1) The commission determines, but for the authorization of the special rate the facility would not commence operations, the special rate is in the interest of the state of Missouri when considering the interests of the customers of the electrical corporation serving the facility, considering the incremental cost of serving the facility to receive the special rate, and the interests of the citizens of the state generally in promoting economic development, improving the tax base, providing employment opportunities in the state, and promoting such other benefits to the state as the commission may determine are created by approval of the special rate;

(2) After approval of the special rate, the commission allocates in each general rate proceeding of the electrical corporation serving the facility the reduced revenues from the special rate as compared to the revenues that would have been generated at the rate the facility would have paid without the special rate to the electrical corporation's other customers through a uniform percentage adjustment to all components of the base rates of all customer classes; and

(3) The commission approves a tracking mechanism meeting the requirements of subsection 3 of this section.

3. Any commission order approving a special rate authorized by this section to provide service to a facility in the manner specified under subsection 4 of this section shall establish, as part of the commission's approval of a special rate, a tracking mechanism to track changes in the net margin experienced by the electrical corporation serving the facility with the tracker to apply retroactively to the date the electrical corporation's base rates were last set in its last general rate proceeding concluded prior to June 14, 2017. The commission shall ensure that the changes in net margin experienced by the electrical corporation between the general rate proceedings as a result of serving the facility are calculated in such a manner that the electrical corporation's net income is neither increased nor decreased. The changes in net margin shall be deferred to a regulatory liability or regulatory asset, as applicable, with the balance of such regulatory asset or liability to be included in the revenue requirement of the electrical corporation in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully returned to or collected from the electrical corporation's customers.

4. Notwithstanding the provisions of section 393.170, an electrical corporation is authorized to provide electric service to a facility at a special rate for the new or incremental load authorized by the commission:

(1) Under a rate schedule reflecting the special rate approved by the commission; or

(2) If the facility is located outside the electrical corporation's certificated service territory, the facility shall be treated as if it is in the electrical corporation's certified service territory, subject to a commission-

approved rate schedule incorporating the special rate under the contract.

5. To receive a special rate, the electrical corporation serving the facility, or facility if the facility is located outside of the electrical corporation's certified service territory, shall file a written application with the commission specifying the requested special rate and any terms or conditions proposed by the facility respecting the requested special rate and provide information regarding how the requested special rate meets the criteria specified in subdivision (1) of subsection 2 of this section. A special rate provided for by this section shall be effective for no longer than ten years from the date such special rate is authorized. The commission may impose such conditions, including but not limited to any conditions in a memorandum of understanding between the facility and the electrical corporation, on the special rate as it deems appropriate so long as it otherwise complies with the provisions of this section.

6. Any entity which has been granted a special rate under this section may reapply to the commission for a special rate under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 19, Section 393.1900, Line 14, by inserting after all of said section and line the following:

"414.152. 1. Any person found in violation of any provision of sections 414.012 to 414.152 **or section 414.600** shall be deemed guilty of a class A misdemeanor. The prosecutor of each county in which a violation occurs shall be empowered to bring an action hereunder. But if a prosecutor declines to bring such action, then the attorney general may bring an action instead, and in so doing shall have all the powers and jurisdiction of such prosecutor.

2. The prosecuting attorney of any county in which a violation of any provision of this chapter occurs or the attorney general is hereby authorized to apply to any court of competent jurisdiction for, and such court shall have jurisdiction upon hearing and for cause shown to grant, a temporary or permanent injunction to restrain any person from violating any provision of this chapter.

3. Any person who is found, upon investigation by the department of agriculture or by the department of revenue, to be in possible violation of any provision of this chapter shall be notified by certified mail of the facts constituting such violation, and shall be afforded an opportunity by the appropriate director to explain such facts at an informal hearing to be conducted within fourteen days of such notification. In the event that such person fails to timely respond to such notification or upon unsuccessful resolution of any issues relating to an alleged violation, such person may be summoned to a formal administrative hearing before a hearing officer conducted in conformance with chapter 536 and if found to have committed one or more violations, may be ordered to cease and desist from such violation, such order to be enforceable in circuit court, and, in addition, may be required to pay a penalty of not more than five hundred dollars per violation and five hundred dollars for each day such violation continues. Any party to such hearing aggrieved by a determination of a hearing officer may appeal to the circuit court of the county in which such party resides, or if the party is the state, in Cole County, in accordance with chapter 536.

414.600. 1. This section shall be known and may be cited as the "Missouri Made Fuels Act".

2. For purposes of this section, the following terms shall mean:

(1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel between six percent and twenty

percent for on-road and off-road diesel-fueled vehicle use. Biodiesel blend shall comply with the most recent version of ASTM International D7467, Standard Specification of Diesel Fuel Oil;

(2) “Biodiesel fuel”, a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets the most recent version of ASTM International D6751 Standard Specification for Biodiesel Fuel (B100) Blend Stock for Middle Distillate Fuels. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section, unless the palm oil is contained within waste oil and grease collected within the United States.

3. Except as otherwise provided in this section, all diesel fuel sold or offered for sale in Missouri for use in internal combustion engines shall contain at least the following stated percentage of biodiesel fuel oil by volume on and after the following dates:

- (1) April 1, 2022, and until March 31, 2023, five percent;
- (2) April 1, 2023, and until March 31, 2025, ten percent; and
- (3) Beginning April 1, 2025, twenty percent.

Except as provided in this subsection, the minimum content levels in subdivisions (2) and (3) of this subsection are effective during the months of April, May, June, July, August, September, and October only and the minimum content for the remainder of the year is five percent. However, if the Missouri department of agriculture’s division of weights, measures and consumer protection determines that an ASTM International specification or equivalent federal standard exists for the specified biodiesel blend level in subdivisions (2) and (3) of this subsection that adequately addresses technical issues associated with Missouri’s typical weather patterns and publish a notice in the Missouri register to that effect, the department of agriculture may allow the specified biodiesel blend level in subdivisions (2) and (3) of this subsection to be effective year-round. In each year that the seasonal reduction to five percent is in effect, the minimum content level of diesel fuel sold or offered for sale at retail in Missouri from April first to April thirtieth may be less than the level required under subdivisions (2) and (3) of this subsection in order to allow for the transition of blends.

4. The minimum content levels in subdivisions (2) and (3) of subsection 3 of this section become effective on the date specified only if the director of the department of agriculture submits notice in the Missouri register that the following conditions have been met and the state is prepared to move to the next scheduled minimum content level:

(1) An ASTM International specification or equivalent federal standard exists for the next minimum diesel-biodiesel blend; and

(2) A sufficient supply of biodiesel is available and at least fifty percent of the biodiesel is produced in the state of Missouri.

5. By January 15, 2023, and biennially thereafter, the director of the division of energy shall determine the preceding twelve-month rolling average of wholesale diesel price at various pipeline and refinery terminals in Missouri, and the preceding twelve-month rolling average of biodiesel price determined after credits and incentives are subtracted at biodiesel plants in Missouri. The director shall consult with the directors of the department of natural resources and the department of agriculture, and may by emergency rule adjust the biodiesel mandate if a price disparity reported by the directors will cause economic hardship to the state. Any adjustment shall be for a specified period

of time, after which the percentage of biodiesel fuel to be blended into diesel fuel returns to the amount required in subsection 3 of this section. The biodiesel blend shall not be adjusted to less than five percent.

6. The director of the department of agriculture may waive specific requirements in this section and in regulations promulgated according to this section, or may establish temporary alternative requirements for fuels as determined to be necessary in the event of an extreme and unusual fuel supply circumstance as a result of a feed stock shortage, emergency, or a natural disaster as determined by the director for a specified period of time. If any action is taken by the director under this section, the director shall:

- (1) Review the action after thirty days; and
- (2) Notify industry stakeholders of such action.

Any waiver issued or action taken under this subsection shall be as limited in scope and applicability as necessary, and shall apply equally and uniformly to all persons and companies in the impacted biodiesel fuel supply and distribution system, including but not limited to biodiesel producers, terminals, distributors, position holders and retailers.

7. The minimum content requirements of subsection 3 of this section do not apply to No. 1-D fuel and fuel used in the following equipment:

- (1) Motors located at an electric generating plant;
- (2) Railroad locomotives;
- (3) Stationary power generators;
- (4) Off-road mining equipment and machinery;
- (5) Off-road logging equipment and machinery; and

(6) Vessels of the United States Coast Guard and vessels subject to inspection under 46 U.S.C. Section 3301(1), (9), (10), (13), or (15).

8. (1) A refinery, position holder, or terminal shall provide, at the time diesel fuel is sold or transferred from the refinery or terminal, a bill of lading or shipping manifest to the person who receives the fuel. For biodiesel blends, the bill of lading or shipping manifest shall disclose biodiesel content, stating volume percentage, gallons of biodiesel per gallons of petroleum diesel base-stock, or an ASTM "Bxx" designation where "xx" denotes the volume percent biodiesel included in the blended product. This subsection shall not apply to sales or transfers of biodiesel blend stock between refineries, between terminals, or between a refinery and a terminal.

(2) A delivery ticket required under section 413.125 for a biodiesel blend shall state the volume percentage of biodiesel blended into the diesel fuel delivered through a meter into a storage tank used for dispensing into motor vehicles powered by an internal combustion engine and not exempt under subsection 3 of this section.

9. All terminals in Missouri that sell diesel fuel shall offer for sale, in cooperation with position holders and suppliers, biodiesel blends set forth in subsection 3 of this section and unblended diesel fuel.

10. Notwithstanding any other law to the contrary, all fuel retailers, wholesalers, distributors, and

marketers shall be allowed to purchase biodiesel from any terminal, position holder, biodiesel producer, biodiesel wholesaler, or supplier. In the event a court of competent jurisdiction finds that this subsection does not apply to or improperly impairs existing contractual relationships, then this subsection shall only apply to and impact future contractual relationships.

11. Beginning in 2023, the director of the division of energy shall report by January fifteenth of each year to the speaker of the house of representatives and the president pro tempore of the senate regarding the implementation of the minimum content requirements in subsection 3 of this section, including information about the price and supply of biodiesel fuel. The report shall include information about the impacts of the biodiesel mandate on the development of biodiesel production capacity in the state, and on the use of feedstock grown or raised in the state for biodiesel production. Biodiesel fuel being recognized by the division of energy as a big contributor to Missouri's energy solutions industry, the division shall include recommendations on how to create continued growth and expansion for the benefit of Missouri's environment, economy, and agricultural industry.

12. The provisions of section 414.152 shall apply for purposes of enforcement of this section.

13. The department of agriculture and the department of natural resources shall establish rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

14. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under this section shall automatically sunset ten years after August 28, 2020, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset ten years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 5, Line 27, by deleting the phrase **“upon mutual agreement,”** on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“67.453. Sections 67.453 to 67.475 are known and may be cited as the “Neighborhood Improvement

District Act”, and the following words and terms, as used in sections 67.453 to 67.475 mean:

(1) “Acquire”, the acquisition of property or interests in property by purchase, gift, condemnation or other lawful means and may include the acquisition of existing property and improvements already owned by the city or county;

(2) “Consultant”, engineers, architects, planners, attorneys, financial advisors, accountants, investment bankers and other persons deemed competent to advise and assist the governing body of the city or county in planning and making improvements;

(3) “Cost”, all costs incurred in connection with an improvement, including, but not limited to, costs incurred for the preparation of preliminary reports, the preparation of plans and specifications, the preparation and publication of notices of hearings, resolutions, ordinances and other proceedings, fees and expenses of consultants, interest accrued on borrowed money during the period of construction, underwriting costs and other costs incurred in connection with the issuance of bonds or notes, establishment of reasonably required reserve funds for bonds or notes, the cost of land, materials, labor and other lawful expenses incurred in planning, acquiring and doing any improvement, reasonable construction contingencies, and work done or services performed by the city or county in the administration and supervision of the improvement;

(4) “Improve”, to construct, reconstruct, maintain, restore, replace, renew, repair, install, equip, extend, or to otherwise perform any work which will provide a new public facility or enhance, extend or restore the value or utility of an existing public facility;

(5) “Improvement”, any one or more public facilities or improvements which confer a benefit on property within a definable area and may include or consist of a reimprovement of a prior improvement. Improvements include, but are not limited to, the following activities:

(a) To acquire property or interests in property when necessary or desirable for any purpose authorized by sections 67.453 to 67.475;

(b) To open, widen, extend and otherwise to improve streets, paving and other surfacing, gutters, curbs, sidewalks, crosswalks, driveway entrances and structures, drainage works incidental thereto, and service connections from sewer, water, gas and other utility mains, conduits or pipes;

(c) To improve main and lateral storm water drains and sanitary sewer systems, and appurtenances thereto;

(d) To improve street lights and street lighting systems;

(e) To improve waterworks systems;

(f) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms “telecommunications company” and “telecommunications facilities” are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;

(g) To improve parks, playgrounds and recreational facilities;

[(g)] **(h)** To improve any street or other facility by landscaping, planting of trees, shrubs, and other plants;

[(h)] **(i)** To improve dikes, levees and other flood control works, gates, lift stations, bridges and streets appurtenant thereto;

[(i)] **(j)** To improve vehicle and pedestrian bridges, overpasses and tunnels;

[(j)] **(k)** To improve retaining walls and area walls on public ways or land abutting thereon;

[(k)] **(l)** To improve property for off-street parking facilities including construction and equipment of buildings thereon;

[(l)] **(m)** To acquire or improve any other public facilities or improvements deemed necessary by the governing body of the city or county; and

[(m)] **(n)** To improve public safety;

(6) “Neighborhood improvement district”, an area of a city or county with defined limits and boundaries which is created by vote or by petition under sections 67.453 to 67.475 and which is benefitted by an improvement and subject to special assessments against the real property therein for the cost of the improvement.

67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand,

as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; and

(k) Any other useful, necessary, or desired improvement;

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk café tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;

(30) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

67.1842. 1. In managing the public right-of-way and in imposing fees pursuant to sections 67.1830 to 67.1846, no political subdivision shall:

(1) Unlawfully discriminate among public utility right-of-way users;

(2) Grant a preference to any public utility right-of-way user;

(3) Create or erect any unreasonable requirement for entry to the public right-of-way by public utility right-of-way users;

(4) Require a telecommunications company to obtain a franchise **or written agreement, other than a permit**, or require a public utility right-of-way user to pay for the use of the public right-of-way, except as provided in sections 67.1830 to 67.1846;

(5) Enter into a contract or any other agreement for providing for an exclusive use, occupancy or access to any public right-of-way; or

(6) Require any public utility that has legally been granted access to the political subdivision's right-of-way to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision.

2. A public utility right-of-way user shall not be required to apply for or obtain right-of-way permits for projects commenced prior to August 28, 2001, requiring excavation within the public right-of-way, for which the user has obtained the required consent of the political subdivision, or that are otherwise lawfully occupying or performing work within the public right-of-way. The public utility right-of-way user may be required to obtain right-of-way permits prior to any excavation work performed within the public right-of-way after August 28, 2001.

3. A political subdivision shall not collect a fee imposed pursuant to section 67.1840 through the provision of in-kind services by a public utility right-of-way user, nor require the provision of in-kind services as a condition of consent to use the political subdivision's public right-of-way; however, nothing in this subsection shall preclude requiring services of a cable television operator, open video system provider or other video programming provider as permitted by federal law.

67.1846. 1. Nothing in sections 67.1830 to 67.1846 relieves the political subdivision of any obligations under an existing franchise agreement in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 will apply to that portion of any ordinance passed prior to May 1, 2001, which establishes a street degradation

fee. Nothing in sections 67.1830 to 67.1846 shall be construed as limiting the authority of county highway engineers or relieving public utility right-of-way users from any obligations set forth in chapters 229 to 231. Nothing in sections 67.1830 to 67.1846 shall be deemed to relieve a public utility right-of-way user of the provisions of an existing franchise, franchise fees, license or other agreement or permit in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision or public utility right-of-way user from renewing or entering into a new or existing franchise, **upon mutual agreement**, as long as all other public utility right-of-way users have use of the public right-of-way on a nondiscriminatory basis. Nothing in sections 67.1830 to 67.1846 shall prevent a grandfathered political subdivision from enacting new ordinances, including amendments of existing ordinances, charging a public utility right-of-way user a fair and reasonable linear foot fee or antenna fee or from enforcing or renewing existing linear foot ordinances for use of the right-of-way, provided that the public utility right-of-way user either:

(1) Is entitled under the ordinance to a credit for any amounts paid as business license taxes, **payments in lieu of taxes**, or gross receipts taxes; or

(2) Is not required by the political subdivision to pay the linear foot fee or antenna fee if the public utility right-of-way user is paying gross receipts taxes, business license fees, or business license taxes that are not nominal and that are imposed specifically on communications-related revenue, services, or equipment.

For purposes of this section, a “grandfathered political subdivision” is any political subdivision which has, prior to May 1, 2001, enacted one or more ordinances reflecting a policy of imposing any linear foot fees on any public utility right-of-way user, including ordinances which were specific to particular public right-of-way users. Any existing ordinance or new ordinance passed by a grandfathered political subdivision providing for payment of the greater of a linear foot fee or a gross receipts tax shall be enforceable only with respect to the linear foot fee.

2. A grandfathered political subdivision shall not charge a linear foot fee for use of its right-of-way to a small local exchange telecommunications company that is qualified as of December 31, 2019, as a small local exchange telecommunications company, as defined in section 386.020, provided that the small local exchange telecommunications company is providing internet access to customers in a grandfathered political subdivision.

3. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, renewing or enforcing provisions of an ordinance to require a business license tax, sales tax, occupation tax, franchise tax or franchise fee, property tax or other similar tax, to the extent consistent with federal law. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, enforcing or renewing provisions of an ordinance to require a gross receipts tax pursuant to chapter 66, chapter 92, or chapter 94. For purposes of this subsection, the term “franchise fee” shall mean “franchise tax”.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

“393.135. Except as provided in section 393.1250, any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction work in progress, as that term is defined in section 393.1250, upon any existing or new [facility of the] electrical

corporation **facility**, or any other cost associated with owning, operating, maintaining, or financing any **such** property before it is fully operational and used for service[, is unjust and unreasonable, and] is prohibited.”; and

Further amend said bill, Page 18, Section 393.1015, Line 107, by inserting after all of said section and line the following:

“393.1250. 1. This section shall be known and may be cited as the “Missouri Nuclear Clean Power Act”, the purpose of which is to enable the construction of clean baseload electric generating plants within this state or facilities that utilize renewable sources to produce energy. This section shall not apply to clean baseload electric generating plants or renewable source generating facilities that are in commercial operation before August 28, 2020.

2. As used in this section, the following terms mean:

(1) “Clean baseload generating plant”, a new nuclear-fueled electric generating facility located in this state that is designed to be operated at a capacity factor exceeding seventy percent annually and is intended in whole or in part to serve retail customers of an electrical corporation in Missouri;

(2) “Construction work in progress”, the electrical corporation’s share of all capital costs associated with a clean baseload generating plant or renewable source generating facility, which have been incurred but have not been included in the electrical corporation’s plant in service, and are recorded in the Federal Energy Regulatory Commission’s Uniform System of Accounts Prescribed for Public Utilities and Licensees Subject to the Provisions of the Federal Power Act, Balance Sheet Chart Accounts, as construction work in progress for electric plants in 18 CFR Part 101, or any other account established in the Uniform System of Accounts for the recording of construction work in progress;

(3) “Renewable source generating facility”, any electric generating facility powered by wind, hydropower, solar power, landfill methane, biomass, or any other renewable source of power that does not produce significant carbon emissions.

3. The provisions of section 393.135 shall not apply to a clean baseload generating plant, or a renewable source generating facility if the plant or facility is rated at two hundred megawatts or more. Costs recovered by an electrical corporation under the provisions of this section are subject to inclusion or exclusion from rates in a ratemaking proceeding pursuant to the commission’s authority to determine just and reasonable rates. In addition, the commission may authorize an electrical corporation to make or demand charges for service based in whole or in part on additional amortizations to maintain the electrical corporation’s financial ratios that will, in the commission’s judgment, better enable the electrical corporation to cost-effectively construct a clean baseload generating plant or a renewable source generating facility.

4. The commission may promulgate rules to assist in the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after

August 28, 2020, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“137.123. Beginning January 1, 2021, for purposes of assessing all real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity, the following depreciation tables shall be used to determine the true value in money of such property. The first year shown in the table shall be the year immediately following the year of construction of the property. The original costs shall reflect either:

(1) The actual and documented original property cost to the taxpayer, as shall be provided by the taxpayer to the assessor; or

(2) In the absence of actual and documented original property cost to the taxpayer, the estimated cost of the property by the assessor, using an authoritative cost guide.

For purposes of this section, and to estimate the value of all real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity, each assessor shall apply the percentage shown to the original cost for the first year following the year of construction of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Percentage
1	40%
2	40%
3	37%
4	37%
5	35%

Any real property, excluding land, or tangible personal property associated with a project that uses wind energy directly to generate electricity shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column in the table.”; and

Further amend said bill, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

“153.030. 1. All bridges over streams dividing this state from any other state owned, used, leased or otherwise controlled by any person, corporation, railroad company or joint stock company, and all bridges across or over navigable streams within this state, where the charge is made for crossing the same, which are now constructed, which are in the course of construction, or which shall hereafter be constructed, and all property, real and tangible personal, owned, used, leased or otherwise controlled by telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies and express companies shall be subject to taxation for state, county, municipal and other local purposes to the same extent as the property of private persons.

2. And taxes levied thereon shall be levied and collected in the manner as is now or may hereafter be provided by law for the taxation of railroad property in this state, and county commissions, county boards of equalization and the state tax commission are hereby required to perform the same duties and are given the same powers, including punitive powers, in assessing, equalizing and adjusting the taxes on the property set forth in this section as the county commissions and boards of equalization and state tax commission have or may hereafter be empowered with, in assessing, equalizing, and adjusting the taxes on railroad property; and an authorized officer of any such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express company or the owner of any such toll bridge, is hereby required to render reports of the property of such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express companies in like manner as the authorized officer of the railroad company is now or may hereafter be required to render for the taxation of railroad property.

3. On or before the fifteenth day of April in the year 1946 and each year thereafter an authorized officer of each such company shall furnish the state tax commission and county clerks a report, duly subscribed and sworn to by such authorized officer, which is like in nature and purpose to the reports required of railroads under chapter 151 showing the full amount of all real and tangible personal property owned, used, leased or otherwise controlled by each such company on January first of the year in which the report is due.

4. If any telephone company assessed pursuant to chapter 153 has a microwave relay station or stations in a county in which it has no wire mileage but has wire mileage in another county, then, for purposes of apportioning the assessed value of the distributable property of such companies, the straight line distance between such microwave relay stations shall constitute miles of wire. In the event that any public utility company assessed pursuant to this chapter has no distributable property which physically traverses the counties in which it operates, then the assessed value of the distributable property of such company shall be apportioned to the physical location of the distributable property.

5. (1) Notwithstanding any provision of law to the contrary, beginning January 1, 2019, a telephone company shall make a one-time election within the tax year to be assessed:

(a) Using the methodology for property tax purposes as provided under this section; or

(b) Using the methodology for property tax purposes as provided under this section for property consisting of land and buildings and be assessed for all other property exclusively using the methodology utilized under section 137.122.

If a telephone company begins operations, including a merger of multiple telephone companies, after August 28, 2018, it shall make its one-time election to be assessed using the methodology for property tax purposes as described under paragraph (b) of subdivision (1) of this subsection within the year in which the telephone company begins its operations. A telephone company that fails to make a timely election shall be deemed to have elected to be assessed using the methodology for property tax purposes as provided under subsections 1 to 4 of this section.

(2) The provisions of this subsection shall not be construed to change the original assessment jurisdiction of the state tax commission.

(3) Nothing in subdivision (1) of this subsection shall be construed as applying to any other utility.

(4) (a) The provisions of this subdivision shall ensure that school districts may avoid any fiscal impact as a result of a telephone company being assessed under the provisions of paragraph (b) of subdivision (1)

of this subsection. If a school district's current operating levy is below the greater of its most recent voter-approved tax rate or the most recent voter-approved tax rate as adjusted under subdivision (2) of subsection 5 of section 137.073, it shall comply with section 137.073.

(b) Beginning January 1, 2019, any school district currently operating at a tax rate equal to the greater of the most recent voter-approved tax rate or the most recent voter-approved tax rate as adjusted under subdivision (2) of subsection 5 of section 137.073 that receives less tax revenue from a specific telephone company under this subsection, on or before January thirty-first of the year following the tax year in which the school district received less revenue from a specific telephone company, may by resolution of the school board impose a fee, as determined under this subsection, in order to obtain such revenue. The resolution shall include all facts that support the imposition of the fee. If the school district receives voter approval to raise its tax rate, the district shall no longer impose the fee authorized in this paragraph.

(c) Any fee imposed under paragraph (b) of this subdivision shall be determined by taking the difference between the tax revenue the telephone company paid in the tax year in question and the tax revenue the telephone company would have paid in such year had it not made an election under subdivision (1) of this subsection, which shall be calculated by taking the telephone company valuations in the tax year in question, as determined by the state tax commission under paragraph (d) of this subdivision, and applying such valuations to the apportionment process in subsection 2 of section 151.150. The school district shall issue a billing, as provided in this subdivision, to any such telephone company. A telephone company shall have forty-five days after receipt of a billing to remit its payment of its portion of the fees to the school district. Notwithstanding any other provision of law, the issuance or receipt of such fee shall not be used:

- a. In determining the amount of state aid that a school district receives under section 163.031;
- b. In determining the amount that may be collected under a property tax levy by such district; or
- c. For any other purpose.

For the purposes of accounting, a telephone company that issues a payment to a school district under this subsection shall treat such payment as a tax.

(d) When establishing the valuation of a telephone company assessed under paragraph (b) of subdivision (1) of this subsection, the state tax commission shall also determine the difference between the assessed value of a telephone company if:

- a. Assessed under paragraph (b) of subdivision (1) of this subsection; and
- b. Assessed exclusively under subsections 1 to 4 of this section.

The state tax commission shall then apportion such amount to each county and provide such information to any school district making a request for such information.

(e) This subsection shall expire when no school district is eligible for a fee.

6. (1) If any public utility company assessed pursuant to this chapter has ownership of any real or personal property associated with a project which uses wind energy directly to generate electricity, such wind energy project property shall be valued and taxed by any local authorities having jurisdiction under the provisions of chapter 137 and other relevant provisions of the law.

(2) Notwithstanding any provision of law to the contrary, beginning January 1, 2020, for any public utility company assessed pursuant to this chapter which has a wind energy project, such wind energy project

shall be assessed using the methodology for real and personal property as provided in this subsection:

(a) Any wind energy property of such company shall be assessed upon the county assessor's local tax rolls; **and**

(b) [Any property consisting of land and buildings related to the wind energy project shall be assessed under chapter 137; and

(c)] All other [business] **real property, excluding land**, or personal property related to the wind energy project shall be assessed using the methodology provided under section [137.122] **137.123.**"; and

Further amend said bill, Page 26, Section 67.5122, Line 5, by inserting after all of said section and line the following:

"[393.1073. 1. There is hereby established the "Task Force on Wind Energy", which shall be composed of the following members:

(1) Three members of the house of representatives, with two appointed by the speaker of the house of representatives and one appointed by the minority floor leader of the house of representatives;

(2) Three members of the senate, with two appointed by the president pro tempore of the senate and one appointed by the minority floor leader of the senate; and

(3) Two representatives from Missouri county governments with experience in wind energy valuations, with one being a currently elected county assessor to be appointed by the speaker of the house of representatives, and one being a currently elected county clerk to be appointed by the president pro tempore of the senate.

2. The task force shall conduct public hearings and research, and shall compile a report for delivery to the general assembly by no later than December 31, 2019. Such report shall include information on the following:

(1) The economic benefits and drawbacks of wind turbines to local communities and the state;

(2) The fair, uniform, and standardized assessment and taxation of wind turbines and their connected equipment owned by a public utility company at the county level in all counties;

(3) Compliance with existing federal and state programs and regulations; and

(4) Potential legislation that will provide a uniform assessment and taxation methodology for wind turbines and their connected equipment owned by a public utility company that will be used in every county of Missouri.

3. The task force shall meet within thirty days after its creation and shall organize by selecting a chairperson and vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. Thereafter, the task force may meet as often as necessary in order to accomplish the tasks assigned to it. A majority of the task force shall constitute a quorum, and a majority vote of such quorum shall be required for any action.

4. The staff of house research and senate research shall provide necessary clerical,

research, fiscal, and legal services to the task force, as the task force may request.

5. The members of the task force shall serve without compensation, but any actual and necessary expenses incurred in the performance of the task force's official duties by the task force, its members, and any staff assigned to the task force shall be paid from the joint contingent fund.

6. This section shall expire on December 31, 2019.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 618, Page 12, Section 144.030, Line 402, by inserting after all of said section and line the following:

"247.200. **1.** The district shall have the right to lay its mains in public highways, roads, streets and alleys included in the district, but the same shall be done under reasonable rules and regulations of governmental bodies having jurisdiction of such public places. This shall apply to maintenance and repair jobs. In the construction of ditches, laying of mains, filling of ditches after mains are laid, connection of service pipes and repairing of lines, due regard must be taken of the rights of the public in its use of thoroughfares and the equal rights of other utilities thereto.

2. No district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.

3. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges may be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the district.

247.285. 1. No metropolitan water supply district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.

2. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges shall be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the metropolitan water supply district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to

act with a like committee from the Senate on **SS** for **SCS** for **HB 1768**, as amended. Representatives: Riggs, Miller, Francis, Roberts (77), Pierson Jr..

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended. Representatives: Schroer, Henderson, Patterson, Mitten, Sauls.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1710**, entitled:

An Act to repeal sections 53.010, 82.550, 137.115, 137.385, and 138.060, RSMo, and to enact in lieu thereof four new sections relating to taxation of property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2555**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the cost openness and spending transparency act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HCS** for **HB 2046**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

HOUSE BILLS ON THIRD READING

HB 1330, introduced by Representative Veit, with **SCS**, entitled:

An Act to authorize the conveyance of certain state property.

Was taken up by Senator Bernskoetter.

SCS for **HB 1330**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1330

An Act to authorize the conveyance of certain state property, with an emergency clause.

Was taken up.

Senator Bernskoetter moved that **SCS** for **HB 1330** be adopted.

Senator Bernskoetter offered **SS** for **SCS** for **HB 1330**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1330

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof seven new sections relating to the conveyance of real property, with an emergency clause.

Senator Bernskoetter moved that **SS** for **SCS** for **HB 1330** be adopted.

Senator Sifton raised the point of order that **SS** for **SCS** for **HB 1330** goes beyond the original scope and purpose of the bill. The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1330, Page 3, Section 523.262, Line 15, by inserting immediately after said line the following:

“(4) Any entity that has received approval for a certificate of convenience and necessity from the public service commission to construct and maintain a merchant line shall be exempt from the provisions of this subsection.”.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Bernskoetter, **SS** for **SCS** for **HB 1330** was withdrawn, rendering **SA 1** moot.

Senator Hough assumed the Chair.

Senator O’Laughlin offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1330, Page 16, Section 6, Line 153, by inserting immediately after said line the following:

“Section 10. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in property located in the City of Moberly, Randolph County, Missouri. The property to be conveyed is more particularly described as follows:

Starting at a point 420 feet south, and 30 feet west of the NE corner of the NW ¼ NE¼ of Section 25, Township 53 N., Range 14 W., thence West 550 feet parallel with the North line of said Section 25, thence N. 45° W. to a point 100 feet south of the north line of said Section 25, thence west parallel with said north line of said Section 25, 260 feet, thence S. 450 W. to the easterly right-of-way of U. S. Highway Route 63, thence southeasterly around the curve of the said easterly right-of-way of U. S. Route 63, to a point 120 feet south of the south line of the NW ¼ NE¼ of Section 25, 53, 14, thence northeasterly to a point 30 feet west and 865 feet south of the NE corner of the NW ¼ NE¼ of said Section 25, thence N. 445 feet more or less to place of beginning: said tract containing 23.1 acres, more or less, and being situated in parts of the NW ¼ NE¼ and

the NE¼ NW ¼, and the SW ¼ NE¼ of Section 25, Township 53 N., Range 14 West, in Randolph County, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.”.

Senator O’Laughlin moved that the above amendment be adopted, which motion prevailed.

Senator Riddle officer **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1330, Page 6, Section 3, Line 6, by inserting immediately before said line the following:

“PROPERTY BOUNDARY DESCRIPTION - TRACT A”; and further amend line 16, by striking the word “continuing”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Bernskoetter moved that **SCS** for **HB 1330**, as amended, be adopted, which motion prevailed.

On motion of Senator Bernskoetter, **SCS** for **HB 1330**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senator Libla—1

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senator May—1

Absent—Senators

Brown Sater—2

Absent with leave—Senator Libla—1

Vacancies—3

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2002**, as amended: Senators Arthur, Nasheed, Hegeman, Hough and Riddle.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2003**: Senators Arthur, Nasheed, Hegeman, Hough and Rowden.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2004**, as amended: Senators Rizzo, Williams, Hegeman, Hough and Hoskins.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2005**: Senators Rizzo, Arthur, Hegeman, Hough and Cunningham.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HS** for **HCS** for **HB 2006**: Senators Rizzo, Arthur, Hegeman, Hough and Cunningham.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2007**: Senators Rizzo, Walsh, Hegeman, Hough and Sater.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2008**, as amended: Senators Rizzo, Nasheed, Hegeman, Hough and Brown.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2009**: Senators Rizzo, Williams, Hegeman, Hough and Hoskins.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2010**, as amended: Senators Rizzo, Williams, Hegeman, Hough and Sater.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2011**, as amended: Senators Hegeman, Hough, Sater, Nasheed and Williams.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2012**: Senators Hegeman, Hough, Sater, Rizzo and Williams.

RESOLUTIONS

Senator Luetkemeyer offered Senate Resolution No. 1446, regarding Madison Grooms, St. Joseph, which was adopted.

Senator White offered Senate Resolution No. 1447, regarding Alison Malinowski Sunday, Joplin, which was adopted.

Senator White offered Senate Resolution No. 1448, regarding Bryan Shallenburger, Carl Junction, which was adopted.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

May 6, 2020

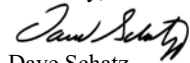
Ms. Adriane Crouse
Secretary of Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Due to my absence during the legislative day, May 7, 2020, I authorize the Senate Majority Floor Leader to exercise the following duties:

1. Take reports of Standing Committees
2. Second read and refer bills

Sincerely,



Dave Schatz

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIRST DAY—THURSDAY, MAY 7, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1710-Eggleston

HCS for HB 2555

HOUSE BILLS ON THIRD READING

HCS for HB 2120, with SCS (Wallingford)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1
(pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS

SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White

SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh

SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HCS for HB 1414, with SCS (Sater)
HB 1559-Remole, with SCS (Hoskins)
HB 1640-Taylor (Bernskoetter)
HCS for HB 1682, with SCS (Sater)

HCS for HB 1683, with SCS (Wallingford)
HB 1700-Fishel, with SCS (Hough)
HB 1963-Fitzwater, with SCS, SS for SCS,
SA 7 & SA 1 to SA 7 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 653-Crawford, with HCS,
as amended

SCS for SB 662-Bernskoetter, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with SS# 2 for SCS,
as amended (Luetkemeyer)
HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)
HS for HCS for HB 2002, with SCS,
as amended (Hegeman)

HS for HCS for HB 2003, with SCS (Hegeman)
HS for HCS for HB 2004, with SCS,
as amended (Hegeman)
HS for HCS for HB 2005, with SCS
(Hegeman)
HS for HCS for HB 2006, with SS for SCS
(Hegeman)

HS for HCS for HB 2007, with SCS (Hegeman)
HS for HCS for HB 2008, with SCS,
as amended (Hegeman)
HS for HCS for HB 2009, with SCS (Hegeman)
HS for HCS for HB 2010, with SCS,
as amended (Hegeman)

HS for HCS for HB 2011, with SCS,
as amended (Hegeman)
HS for HCS for HB 2012, with SCS
(Hegeman)
HCS for HB 2013, with SCS (Hegeman)

Requests to Recede or Grant Conference

HCS for HB 2046, with SS, as amended
(Bernskoetter)
(House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

✓

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIRST DAY—THURSDAY, MAY 7, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Though He slays me, yet will I trust Him.” (Job 13:15)

Lord God, give to us the trust and faithfulness of Your servant Job that we may also trust You no matter how difficult the work that is before us becomes and how hard the journey through these final days of session may be. Help us Lord to have such a trust in You that we will know Your presence among us and be willing to make bold steps to address the challenges and work we must complete. And help us Lord to keep a mind that is at rest in You so we may always be at peace with what is asked of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

Absent—Senators—None

Absent with leave—Senators

Bernskoetter Schatz—2

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 1449, regarding Second Lieutenant Kayley N. Hagl, St. Peters, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1710—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 2555—Rules, Joint Rules, Resolutions and Ethics.

Senator Rowden assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HB 2015**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 2017**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 2018**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 2019**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

On motion of Senator Rowden, the Senate recessed until 11:00 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1403**, entitled:

An Act to repeal section 230.205, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HB 1467** and **HB 1934** and has taken up and passed **SS** for **SCS** for **HB 1467** and **HB 1934**, as amended.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 676**, entitled:

An Act to repeal sections 137.010, 137.115, 137.122, 137.385, 138.060, 138.090, 143.121, 143.171, 143.991, and 144.805, RSMo, and to enact in lieu thereof eleven new sections relating to taxation.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 676, Pages 1-2, Section 137.010, Lines 1-40, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 4, Section 137.115, Lines 68-69, by deleting the words “[fifty] **two hundred**” and inserting in lieu thereof the following word “fifty; and

Further amend said bill, Pages 8-10, Section 137.122, Lines 1-86, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 17-25, Section 143.425, Lines 1-312, by deleting all of said section and lines and inserting in lieu thereof the following:

“143.425. 1. For the purposes of this section, the following terms shall mean:

(1) “Administrative adjustment request”, an administrative adjustment request filed by a partnership under 26 U.S.C. Section 6227;

(2) “Audited partnership”, a partnership subject to a partnership level audit resulting in a federal adjustment;

(3) “Corporate partner”, a partner that is subject to tax under section 143.071;

(4) “Direct partner”, a partner that holds an interest directly in a partnership or pass-through entity;

(5) “Exempt partner”, a partner that is exempt from taxation under the provisions of subdivisions (1) or (4) of subsection 2 of section 143.441, except on unrelated business taxable income;

(6) “Federal adjustment”, a change to an item or amount determined under the Internal Revenue Code that is used by a taxpayer to compute Missouri individual or corporate income tax owed, whether that change results from action by the IRS, including a partnership level audit, or the filing of an amended federal return, federal refund claim, or an administrative adjustment request by the taxpayer. A federal adjustment is positive to the extent that it increases Missouri taxable income as determined under section 143.431, or Missouri adjusted gross income under section 143.121 or 143.181, and is negative to the extent that it decreases such Missouri taxable income or Missouri adjusted gross income;

(7) “Federal adjustments report”, methods or forms, which shall be prescribed by the department of revenue, for use by a taxpayer to report final federal adjustments, including an amended Missouri tax return, a uniform multistate report, or an information return, notwithstanding any provision of law restricting the form or applicability of information return filing;

(8) “Federal partnership representative”, the person the partnership designates for the taxable year as the partnership’s representative, or the person the IRS has appointed to act as the federal partnership representative, under 26 U.S.C. Section 6223(a);

(9) “Final determination date”, shall be the following:

(a) Except as provided under paragraphs (b) and (c) of this subdivision, if the federal adjustment arises from an IRS audit or other action by the IRS, the final determination date shall be the first day on which no federal adjustments arising from such audit or other action remain to be finally determined, whether by IRS decision with respect to which all rights of appeal have been waived or exhausted, by agreement, or, if appealed or contested, by a final decision with respect to which all rights of appeal have been waived or exhausted. For agreements required to be signed by the IRS and the taxpayer, the final determination date shall be the date on which the last party signed the agreement;

(b) For federal adjustments arising from an IRS audit or other action by the IRS, if the taxpayer filed as a member of a Missouri consolidated return, the final determination date shall be the first day on which no related federal adjustments arising from such audit remain to be finally determined, as described in paragraph (a) of this subdivision, for the entire group;

(c) If the federal adjustment results from filing an amended federal return, a federal refund claim, or an administrative adjustment request, or if it is a federal adjustment reported on an amended federal return or other similar report filed under 26 U.S.C. Section 6225(c), the final determination date shall be the day on which the amended return, refund claim, administrative adjustment request, or other similar report was filed;

(10) “Final federal adjustment”, a federal adjustment that remains in effect after the final determination date for such federal adjustment has passed;

(11) “IRS”, the Internal Revenue Service of the United States Department of the Treasury;

(12) “Indirect partner”, a partner in a partnership or pass-through entity, where such partnership or pass-through entity itself holds a direct or indirect interest in another partnership or pass-through entity. A partnership or pass-through entity holds an “indirect interest” in another partnership or pass-through entity where its interest is held through an indirect partner or series of indirect partners;

(13) “Non-resident partner”, an individual, trust, or estate partner that is not a resident partner;

(14) “Partner”, a person that holds an interest directly or indirectly in a partnership or other pass-through entity;

(15) “Partnership”, the same meaning as used in 26 U.S.C. Sections 701 to 771;

(16) “Partnership level audit”, an examination by the IRS at the partnership level under 26 U.S.C. Sections 6221 to 6241, as enacted by the Bipartisan Budget Act of 2015, Public Law 114-74, and any amendments thereto, which results in federal adjustments;

(17) “Pass-through entity”, an entity, other than a partnership, that is not subject to tax under section 143.071, section 153.020, chapter 148, or a tax on insurance companies or insurance providers imposed by the state of Missouri;

(18) “Publicly traded partnership”, the same meaning as used in 26 U.S.C. Section 7704(b), and any amendments thereto;

(19) “Reallocation adjustment”, a federal adjustment resulting from a partnership level audit or an administrative adjustment request that changes the shares of one or more items of partnership income, gain, loss, expense, or credit allocated to direct partners. A positive reallocation adjustment means the portion of a reallocation adjustment that would increase federal adjusted gross income or federal taxable income for one or more direct partners, and a negative reallocation adjustment means the portion of a reallocation adjustment that would decrease federal adjusted gross income or federal taxable income for one or more direct partners;

(20) “Resident partner”, an individual, trust, or estate partner that is a resident of Missouri as defined under section 143.101 for individuals, or under section 143.331 for trusts or estates, for the relevant tax period;

(21) “Reviewed year”, the taxable year of a partnership that is subject to a partnership level audit which results in a federal adjustment;

(22) “Taxpayer”, any individual or entity subject to a tax in Missouri or a tax-related reporting requirement in Missouri and, unless the context clearly indicates otherwise, includes a partnership subject to a partnership level audit or a partnership that has made an administrative adjustment request, as well as a tiered partner of that partnership;

(23) “Tiered partner”, any partner that is a partnership or pass-through entity;

(24) “Unrelated business taxable income”, the same meaning as defined in 26 U.S.C. Section 512.

2. Except in the case of final federal adjustments that are reported and, if applicable, on the basis of which Missouri income tax is paid by a partnership and its partners using the procedures provided under subsections 3 to 9 of this section, final federal adjustments required to be reported for federal purposes under 26 U.S.C. Section 6225(a)(2), and changes required to be reported under section 143.601, a taxpayer shall report and pay any Missouri tax due with respect to final federal adjustments arising from an audit or other action by the IRS or reported by the taxpayer on a timely filed amended federal income tax return, including a return or other similar report filed under 26 U.S.C. Section 6225(c)(2), or federal claim for refund, by filing a federal adjustments report with the department of revenue for the reviewed year and, if applicable, paying the additional Missouri tax owed by the taxpayer no later than one hundred eighty days after the final determination date.

3. Except for adjustments required to be reported for federal purposes under 26 U.S.C. Section 6225(a)(2), partnerships and partners shall report final federal adjustments arising from a partnership level audit or an administrative adjustment request and make payments as required under subsections 3 to 9 of this section.

4. (1) With respect to an action required or permitted to be taken by a partnership under subsections 3 to 9 of this section, a proceeding under section 143.631 for reconsideration by the director of revenue, appeal to the administrative hearing commission, or review by the judiciary with

respect to such action, the state partnership representative for the reviewed year shall have the sole authority to act on behalf of the partnership, and the partnership's direct partners and indirect partners shall be bound by those actions.

(2) The state partnership representative for the reviewed year is the partnership's federal partnership representative unless the partnership designates in writing another person as its state partnership representative.

(3) The department of revenue may establish reasonable qualifications and procedures for designating a person, other than the federal partnership representative, to be the state partnership representative.

(4) The state partnership representative shall be considered an authorized representative of the partnership and its partners under section 32.057 for the purposes of compliance with this section, or participating in a proceeding described in subdivision (1) of this section.

5. Final federal adjustments subject to the requirements of subsections 3 to 9 of this section, except for those subject to a properly made election under subsection 6 of this section, shall be reported as follows:

(1) No later than ninety days after the final determination date, the partnership shall:

(a) File a completed federal adjustments report with the department of revenue, including information as required by the department of revenue;

(b) Notify each of its direct partners of their distributive share of the final federal adjustments including information as required by the department of revenue;

(c) Pay any additional amount under section 143.411 that would have been due had the final federal adjustments originally been reported properly, unless the partnership is a publicly traded partnership; and

(d) If the partnership is a publicly traded partnership, report such information as is required by the department of revenue and in the manner and format as required by department of revenue instruction, including the name, address, and taxpayer identification number of each direct partner with income in Missouri which the publicly traded partnership can reasonably determine to be:

a. Six hundred dollars or more if the partner is an individual; or

b. One hundred dollars or more if the partner is a corporation or entity other than an individual;

(2) No later than one hundred eighty days after the final determination date, each direct partner that is subject to tax under sections 143.011 to 143.996, section 153.020, chapter 148, or a Missouri tax on insurance companies or insurance providers, shall:

(a) File a federal adjustments report reporting the distributive share of the adjustments reported to them under paragraph (b) of subdivision (1) of this subsection; and

(b) Pay any additional amount of tax due as if final federal adjustments had been properly reported, plus any penalty and interest due under sections 143.011 to 143.996 or any other provision of law, and less any credit for related amounts paid or withheld and remitted on behalf of the direct partner. The rate of interest on any amount due shall be determined by section 32.068.

6. (1) Subject to the limitations provided under subdivision (2) of this subsection, an audited partnership making an election under this subsection shall:

(a) No later than ninety days after the final determination date, file a completed federal adjustments report, including information as required by department of revenue, and notify the department of revenue that it is making the election under this subsection;

(b) No later than ninety days after the final determination date, pay an amount, determined as follows, in lieu of taxes owed by its direct and indirect partners:

a. Exclude from final federal adjustments the distributive share of such adjustments reported to a direct exempt partner not subject to tax under sections 143.011 to 143.996;

b. For the total distributive shares of the remaining final federal adjustments reported to direct corporate partners subject to tax under section 143.071, and to direct exempt partners subject to tax under sections 143.011 to 143.996, apportion and allocate such adjustments as provided under section 143.455 if applicable, and multiply the resulting amount by the tax rate provided under section 143.071 for direct corporate partners and direct exempt partners that are corporations, or the top rate of tax under section 143.011 for direct exempt partners that are not corporations;

c. For the total distributive shares of the remaining final federal adjustments reported to non-resident direct partners subject to tax under sections 143.011 to 143.996, determine the amount of such adjustments which is derived from or connected with sources in Missouri as described in section 143.421, and multiply the resulting amount by the highest rate of tax under section 143.011;

d. For the total distributive shares of the remaining final federal adjustments reported to tiered partners:

(i) Determine the amount of such adjustments which is of a type such that it would be subject to sourcing to this state under section 143.421; and then determine the portion of such amount that would be sourced to the state under section 143.421;

(ii) Determine the amount of such adjustments which is of a type such that it would not be subject to sourcing to Missouri by a nonresident partner under section 143.421;

(iii) Determine the portion of the amount determined in item (ii) of this subparagraph that can be established, under regulation issued by the department of revenue, to be properly allocable to nonresident indirect partners or other partners not subject to tax on the adjustments;

(iv) Multiply the sum of the amounts determined in items (i) and (ii) of this subparagraph, reduced by the amount determined in item (iii) of this subparagraph, by the highest rate of tax under section 143.011;

e. For the total distributive shares of the remaining final federal adjustments reported to resident direct partners subject to tax under section 143.011 or 143.061, multiply such amount by the highest rate of tax under section 143.011;

f. For the total distributive shares of the remaining final federal adjustments reported to direct partners subject to tax under chapter 148, section 153.020, or a Missouri tax on insurance companies or insurance providers, apportion and allocate such adjustments in the manner provided by law for such tax, if applicable, and multiply the resulting amount by the tax rate applicable to such direct partner;

g. Add the amounts determined under subparagraphs b to f of this paragraph, in addition to any penalty and interest as provided under sections 143.011 to 143.961 or any other provision of law. The rate of interest on any amount due shall be determined by section 32.068.

(2) Final federal adjustments subject to the election provided for under this subsection shall not include:

(a) The distributive share of final audit adjustments that would, under section 143.455, be included in the apportionable income of any direct or indirect corporate partner, provided that the audited partnership can reasonably determine such amount; and

(b) Any final federal adjustments resulting from an administrative adjustment request.

(3) An audited partnership not otherwise subject to any reporting or payment obligation to Missouri that makes an election under this subsection consents to be subject to Missouri law related to reporting, assessment, payment, and collection of Missouri tax calculated under this subsection.

7. The direct and indirect partners of an audited partnership that are tiered partners, and all of the partners of such tiered partners that are subject to tax under sections 143.011 to 143.961, shall be subject to the reporting and payment requirements of subsection 5 of this section, and such tiered partners shall be entitled to make the election provided under subsection 6 of this section. The tiered partners or their partners shall make required reports and payments no later than ninety days after the time for filing and furnishing statements to tiered partners and their partners as established under 26 U.S.C. Section 6226. The department of revenue may promulgate rules to establish procedures and interim time periods for the reports and payments required by tiered partners and their partners, and for making the elections under subsection 6 of this section.

8. (1) The election made under subsection 6 of this section shall be irrevocable, unless the director of revenue, in his or her discretion or that of the directors' designee, determines otherwise.

(2) If properly reported and paid by the audited partnership or tiered partner, the amount determined under subdivision (2) of subsection 6 of this section shall be treated as paid in lieu of taxes owed by its direct and indirect partners, to the extent applicable, on the same final federal adjustments. The direct partners or indirect partners shall not take any deduction or credit on the determined amount, or claim a refund of such amount in this state. Nothing in this subsection shall preclude a direct resident partner from claiming a credit against the tax otherwise due to this state under section 143.081, or any amounts paid by the audited partnership or tiered partner on the resident partner's behalf to another state or local tax jurisdiction in accordance with the provisions of section 143.081.

9. Nothing in subsections 3 to 9 of this section shall be construed to prevent the department of revenue from assessing direct partners or indirect partners for taxes owed by such partners, using the best information available, in the event that a partnership or tiered partner fails to timely make any report or payment required under subsections 3 to 9 of this section for any reason.

10. The department of revenue shall assess additional tax, interest, additions to tax, and penalties arising from final federal adjustments arising from an audit by the IRS, including a partnership level audit, or reported by the taxpayer on an amended federal income tax return, or as part of an administrative adjustment request by no later than the latest of the following dates:

(1) If a taxpayer files with the department of revenue a federal adjustments report or an amended Missouri tax return as required within the period provided under subsections 2 to 9 of this section, the department of revenue shall assess any amounts, including taxes, interest, additions to tax, and penalties arising from such federal adjustments if the department of revenue issues a notice of the assessment to the taxpayer no later than:

(a) The expiration of the limitations period provided under section 143.711; or

(b) The expiration of the one year period following the date of filing with the department of revenue of the federal adjustments report;

(2) If the taxpayer fails to file the federal adjustments report within the period provided under subsections 2 to 9 of this section, as appropriate, or the federal adjustments report filed by the taxpayer omits final federal adjustments or understates the correct amount of tax owed, the department of revenue shall assess amounts or additional amounts including taxes, interest, additions to tax, and penalties arising from the final federal adjustments, if it mails a notice of the assessment to the taxpayer by a date which is the latest of the following:

(a) The expiration of the limitations period provided under section 143.711;

(b) The expiration of the one year period following the date the federal adjustments report was filed with the department of revenue; or

(c) Absent fraud, the expiration of the six-year period following the final determination date.

11. A taxpayer may make estimated payments to the department of revenue of the Missouri tax expected to result from a pending IRS audit, prior to the due date of the federal adjustments report, without having to file such report with the department of revenue. The estimated tax payments shall be credited against any tax liability ultimately found to be due to Missouri and shall limit the accrual of further interest on such amount. If the estimated tax payments exceed the final tax liability and interest ultimately determined to be due, the taxpayer shall be entitled to a refund or credit for the excess, provided the taxpayer files a federal adjustments report or claim for refund or credit of tax under section 143.781 or 143.821 no later than one year following the final determination date.

12. Except for final federal adjustments required to be reported for federal purposes under 26 U.S.C. Section 6225(a)(2), a taxpayer may file a claim for refund or credit of tax arising from federal adjustments made by the IRS on or before the later of:

(1) The expiration of the last day for filing a claim for refund or credit of Missouri tax under section 143.801, including any extensions; or

(2) One year from the date a federal adjustments report required under subsections 2 to 9 of this section, as applicable, was due to the department of revenue, including any extensions provided under subsection 13 of this section.

The federal adjustments report shall serve as the means for the taxpayer to report additional tax due, report a claim for refund or credit of tax, and make other adjustments resulting from adjustments to the taxpayer's federal taxable income.

13. (1) Unless otherwise agreed in writing by the taxpayer and the department of revenue, any adjustments by the department or by the taxpayer made after the expiration of the appropriate limitations period provided under section 143.711 or 143.801 shall be limited to changes to the

taxpayer's tax liability arising from federal adjustments.

(2) For purposes of compliance with this section, the time periods provided for in chapter 143 may be extended:

(a) Automatically, upon written notice to the department of revenue, by ninety days for an audited partnership or tiered partner which has one hundred or more direct partners; or

(b) By written agreement between the taxpayer and the department of revenue.

(3) Any extension granted under this subsection for filing the federal adjustments report extends the last day prescribed by law for assessing any additional tax arising from the adjustments to federal taxable income and the period for filing a claim for refund or credit of taxes under section 143.781 or 143.821.

14. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

15. The provisions of this section shall apply to any adjustments to a taxpayer's federal taxable income or federal adjusted gross income with a final determination date occurring on or after January 1, 2021."; and

Further amend said bill, Pages 26-27, Section 144.805, Lines 1-34, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2002**, as amended. Representatives: Smith, Wood, Black (7), Kendrick, Burnett.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2003**. Representatives: Smith, Wood, Black (7), Kendrick, Burnett.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2004**, as amended. Representatives: Smith, Wood, Walsh, Kendrick, Merideth.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2005**. Representatives: Smith, Wood, Trent, Kendrick, Lavender.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS for SCS for HS for HCS for HB 2006**. Representatives: Smith, Ross, Kelly (141), Kendrick, Pierson Jr..

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2007**. Representatives: Smith, Wood, Kelly (141), Kendrick, Pierson Jr..

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2008**, as amended. Representatives: Smith, Wood, Walsh, Kendrick, Lavender.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2009**. Representatives: Smith, Wood, Walsh, Kendrick, Washington.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2010**, as amended. Representatives: Smith, Wood, Patterson, Lavender, Washington.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2011**, as amended. Representatives: Smith, Wood, Patterson, Kendrick, Lavender.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS for HS for HCS for HB 2012**. Representatives: Smith, Wood, Trent, Burnett, Washington.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 78**, entitled:

Joint resolution submitting to the qualified voters of Missouri an amendment repealing Sections 18(b) and 31 of Article VI of the Constitution of Missouri, and adopting two new sections in lieu thereof relating

to assessors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Sater assumed the Chair.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SECOND DAY—FRIDAY, MAY 8, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HB 2120, with SCS (Wallingford)

(In Fiscal Oversight)

HB 2015-Smith, with SCS (Hegeman)

HCS for HB 2017(Hegeman)

HCS for HB 2018 (Hegeman)

HCS for HB 2019 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater

SB 524-Sater

SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)

SB 526-Emery, with SCS

SB 529-Cunningham, with SCS

SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)

SB 531-Wallingford, with SS & SA 1 (pending)

SB 537-Libla

SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)

SB 539-Libla, with SA 1 (pending)

SB 542-Nasheed, with SCS

SB 548-Hegeman

SB 555-Riddle

SB 557-Schatz, with SCS

SB 558-Schatz, with SCS

SB 559-Schatz, with SCS

SB 568-Hoskins, with SCS

SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O’Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown

SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HCS for HB 1414, with SCS (Sater)
HB 1559-Remole, with SCS (Hoskins)
HB 1640-Taylor (Bernskoetter)
HCS for HB 1682, with SCS (Sater)

HCS for HB 1683, with SCS (Wallingford)
HB 1700-Fishel, with SCS (Hough)
HB 1963-Fitzwater, with SCS, SS for SCS,
SA 7 & SA 1 to SA 7 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 653-Crawford, with HCS, as amended

SCS for SB 662-Bernskoetter, with HCS,
as amended
SB 676-Luetkemeyer, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1450, HB 1296, HCS for HB 1331 & HCS
for HB 1898-Schroer, with SS# 2 for SCS,
as amended (Luetkemeyer)
HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)
HS for HCS for HB 2002, with SCS, as amended
(Hegeman)
HS for HCS for HB 2003, with SCS (Hegeman)
HS for HCS for HB 2004, with SCS, as amended
(Hegeman)
HS for HCS for HB 2005, with SCS (Hegeman)
HS for HCS for HB 2006, with SS for SCS
(Hegeman)

HS for HCS for HB 2007, with SCS (Hegeman)
HS for HCS for HB 2008, with SCS,
as amended (Hegeman)
HS for HCS for HB 2009, with SCS (Hegeman)
HS for HCS for HB 2010, with SCS,
as amended (Hegeman)
HS for HCS for HB 2011, with SCS,
as amended (Hegeman)
HS for HCS for HB 2012, with SCS (Hegeman)
HCS for HB 2013, with SCS (Hegeman)

Requests to Recede or Grant Conference

HCS for HB 2046, with SS, as amended
(Bernskoetter)
(House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SECOND DAY—FRIDAY, MAY 8, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those of steadfast mind you keep in peace, in peace because they trust you.” (Isaiah 26:3)

Heavenly Father, we know that You have been with us and those who have experienced Your love have come to trust in You their God. Help each of us to have such a trust in You that we can be at peace with You and can share such a peace with others. Be with us through this day and accompany us in our traveling home. And help us to continually seek You in private moments of contemplation and prayer. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hoskins offered Senate Resolution No. 1450, regarding Jensen L. Peel, which was adopted.

Senator O’Laughlin offered Senate Resolution No. 1451, regarding the late General Omar N. Bradley, which was adopted.

The Senate observed a moment of silence in memory of the firefighter who died responding to a fire call on May 7, 2020.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS** for **HB 2120**, with **SCS** begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2002**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2002**.

PRIVILEGED MOTIONS

Senator Bernskoetter moved that the Senate refuse to adopt the **SS** for **HCS** for **HB 2046**, as amended, and request the House grant the Senate a conference; and the conferees be allowed to exceed the differences, which motion prevailed.

Senator Wallingford moved that the Senate refuse to recede from its position on **SS** for **SB 618**, with **HCS**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Crawford moved that the Senate refuse to concur in **SCS** for **SB 653**, with **HCS**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Luetkemeyer moved that **HCS** for **SB 676**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 676**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 676

An Act to repeal sections 137.010, 137.115, 137.122, 137.385, 138.060, 138.090, 143.121, 143.171, 143.991, and 144.805, RSMo, and to enact in lieu thereof eleven new sections relating to taxation.

Was taken up.

Senator Emery assumed the Chair.

President Kehoe assumed the Chair.

Senator Luetkemeyer moved that **HCS** for **SB 676**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Luetkemeyer, **HCS for SB 676**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HS for HCS for HB 2003**, and has taken up and passed **CCS for SCS for HS for HCS for HB 2003**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2004**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2004**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2005**, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2005**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HS** for **HCS** for **HB 2006**, and has taken up and passed **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 2006**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2007**, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2007**.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 2046**, with **SCS**, as amended: Senators Bernskoetter, Riddle, Koenig, Walsh and Sifton.

HOUSE BILLS ON THIRD READING

HB 2015, introduced by Representative Smith, with **SCS**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Was taken up by Senator Hegeman.

SCS for **HB 2015**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2015

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Was taken up.

Senator Hegeman moved that **SCS** for **HB 2015** be adopted.

Senator Hegeman offered **SS** for **SCS** for **HB 2015**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2015

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2020.

Senator Hegeman moved that **SS** for **SCS** for **HB 2015** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **HB 2015** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2002** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2002, as amended, begs leave to report that we, after free and fair

discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2002, as amended.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ David Wood

/s/ Rusty Black

/s/ Kip Kendrick

/s/ Ingrid Burnett

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

/s/ Jeanie Riddle

/s/ Lauren Arthur

/s/ Jamilah Nasheed

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

NAYS—Senators

Burlison	Eigel	Onder—3
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2002**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri,

and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Wallingford	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison	Eigel	Onder	Sifton—4
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2003** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ David Wood

/s/ Rusty Black

/s/ Kip Kendrick

/s/ Ingrid Burnett

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

/s/ Caleb Rowden

/s/ Lauren Arthur

/s/ Jamilah Nasheed

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Wallingford
Walsh	White	Wieland	Williams—25			

NAYS—Senators

Burlison	Eigel	Onder	Schupp	Sifton—5
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2003**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and Workforce Development, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Wallingford
White	Wieland	Williams—24				

NAYS—Senators

Burlison Eigel Onder Schupp Sifton Walsh—6

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2004** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004, as amended.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ David Wood

/s/ Sara Walsh

/s/ Kip Kendrick

Peter Merideth

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

/s/ Denny Hoskins

/s/ John Rizzo

/s/ Brian Williams

Senator Hegeman moved that the above conference committee report be adopted, which motion

prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison	Eigel	Onder	Wallingford—4
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2004**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison	Eigel	Onder	Wallingford—4
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2005** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith
/s/ David Wood
/s/ Curtis Trent
/s/ Kip Kendrick
/s/ Deb Lavender

FOR THE SENATE:

/s/ Daniel J. Hegeman
/s/ Lincoln Hough
/s/ Mike Cunningham
/s/ Lauren Arthur
/s/ John Rizzo

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

Senator Hough assumed the Chair.

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2005**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2008**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2008**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2009**, and has

taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2009**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2010**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2010**.

PRIVILEGED MOTIONS

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HS** for **HCS** for **HB 2006** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2006

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2006, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2006.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ Robert Ross

/s/ Hannah S. Kelly

Kip Kendrick

Tommie Pierson Jr.

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

Mike Cunningham

/s/ Lauren Arthur

/s/ John Rizzo

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O'Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Sifton
Wallingford	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison Eigel Onder Schupp—4

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

President Kehoe assumed the Chair.

On motion of Senator Hegeman, **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 2006**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Sifton
Wallingford	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison Eigel Onder Schupp—4

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on SCS for HS for HCS for HB 2007 moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2007, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2007.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith
/s/ David Wood
/s/ Hannah S. Kelly
/s/ Kip Kendrick
/s/ Tommie Pierson, Jr.

FOR THE SENATE:

/s/ Daniel J. Hegeman
/s/ Lincoln Hough
/s/ David Sater
/s/ John Rizzo
/s/ Gina Walsh

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O'Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2007**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Commerce and Insurance, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2008** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2008, as amended, begs leave to report that we, after free and fair

discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2008, as amended.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ David Wood

/s/ Sara Walsh

/s/ Kip Kendrick

Deb Lavender

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

/s/ Justin Brown

/s/ Jamilah Nasheed

/s/ John Rizzo

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2008**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison	Eigel—2
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2009** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE HOUSE:
/s/ Cody Smith

FOR THE SENATE:
/s/ Daniel J. Hegeman

/s/ David Wood

/s/ Lincoln Hough

/s/ Sara Walsh

/s/ Denny Hoskins

/s/ Kip Kendrick

/s/ John Rizzo

/s/ Barbara Washington

/s/ Brian Williams

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Williams—27	

NAYS—Senators

Burlison	Eigel	Wieland—3
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2009**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Williams—27	

NAYS—Senators

Burlison	Eigel	Wieland—3
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **CCR** for **SCS** for **HS** for **HCS** for **HB 2010** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2010, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2010, as amended.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith

/s/ David Wood

/s/ J. Patterson

/s/ Deb Lavender

/s/ Barbara Washington

FOR THE SENATE:

/s/ Daniel J. Hegeman

/s/ Lincoln Hough

/s/ David Sater

/s/ John Rizzo

/s/ Brian Williams

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin
Riddle	Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford
Walsh	White—23					

NAYS—Senators

Arthur	Burlison	Eigel	Onder	Schupp	Wieland	Williams—7
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2010**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020 and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin
Riddle	Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford
Walsh	White	Williams—24				

NAYS—Senators

Arthur	Burlison	Eigel	Onder	Schupp	Wieland—6
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2011**, as amended, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2011**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HS** for **HCS** for **HB 2012**, and has taken up and passed **CCS** for **SCS** for **HS** for **HCS** for **HB 2012**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 2013** and has taken up and passed **SCS** for **HCS** for **HB 2013**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HB 2015** and has taken up and passed **SS** for **SCS** for **HB 2015**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 618**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 653**, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **HCS** for **HB 2046**, as amended. Representatives: Grier, Houx, Ross, Carpenter, Brown (27).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **SS** for **HCS** for **HB 2046**, as amended, be allowed to exceed the differences.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 618**, as amended. Representatives: Kidd, Hicks, Hansen, Proudie, Washington.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 653**. Representatives: Solon, Kelly (141), Coleman (97), Ingle, Aldridge.

PRIVILEGED MOTIONS

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2011** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2011, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2011, as amended.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2011, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith
/s/ David Wood
/s/ J. Patterson
/s/ Kip Kendrick
/s/ Deb Lavender

FOR THE SENATE:

/s/ Daniel J. Hegeman
/s/ Lincoln Hough
/s/ David Sater
/s/ Jamilah Nasheed
/s/ Brian Williams

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Hegeman	Hoskins
Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin	Onder
Riddle	Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford
Walsh	White	Williams—24				

NAYS—Senators

Arthur	Burlison	Eigel	Emery	Schupp	Wieland—6
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2011**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin
Onder	Riddle	Rizzo	Rowden	Sater	Schatz	Sifton
Wallingford	Walsh	White	Williams—25			

NAYS—Senators

Arthur	Burlison	Eigel	Schupp	Wieland—5
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HS** for **HCS** for **HB 2012** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

The Conference Committee appointed on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Cody Smith
 /s/ David Wood
 /s/ Curtis Trent
 /s/ Ingrid Burnett
 /s/ Barbara Washington

FOR THE SENATE:

/s/ Daniel J. Hegeman
 /s/ Lincoln Hough
 /s/ David Sater
 /s/ John Rizzo
 /s/ Brian Williams

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **HS** for **HCS** for **HB 2012**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2012

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and

other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2020, and ending June 30, 2021.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HB 2017, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments and offices of state government, and the several divisions and programs thereof, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2020, and ending June 30, 2021.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HCS for HB 2017** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HCS for HB 2018, entitled:

An Act to appropriate money for the several departments and offices of state government, and the several divisions and programs thereof, for: the purchase of equipment, planning, expenses, and capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; grants, refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2020 and ending June 30, 2021.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HCS for HB 2018** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HCS for HB 2019, entitled:

An Act to appropriate money for the several departments and offices of state government, and the several divisions and programs thereof, for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2020 and ending June 30, 2021.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HCS for HB 2019** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS** for **SB 618**, with **HCS**, as amended: Senators Wallingford, Emery, Cierpiot, Nasheed and Schupp.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 653**, with **HCS**, as amended: Senators Crawford, Sater, Riddle, Schupp and May.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Monday, May 11, 2020.

SENATE CALENDAR

FIFTY-THIRD DAY—MONDAY, MAY 11, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HB 2120, with SCS (Wallingford)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1 (pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden

SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O’Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig

SB 647-Koenig, with SCS
 SB 648-Koenig, with SCS, SS#2 for SCS &
 SA 1 (pending)
 SB 649-Eigel
 SB 661-Bernskoetter, with SCS
 SB 665-Burlison
 SB 670-Hough, with SCS, SS for SCS & SA 1
 (pending)
 SB 674-Brown
 SBs 675 & 705-Luetkemeyer, with SCS
 SB 677-Luetkemeyer
 SB 690-Cunningham
 SB 696-Sifton
 SB 699-Riddle, with SCS
 SB 701-Onder
 SB 703-Hoskins, with SCS
 SB 714-Burlison, with SCS
 SB 716-Burlison
 SB 748-White
 SB 756-Sifton, with SCS

SB 764-Onder, with SCS
 SB 768-Onder, with SCS
 SB 779-Crawford
 SB 780-Hough, with SCS
 SB 784-Wallingford
 SB 797-Wieland, with SCS
 SB 802-Hegeman
 SB 809-Brown, with SCS
 SB 857-Luetkemeyer, with SCS
 SB 885-Walsh
 SB 896-Eigel
 SB 996-Onder, with SCS
 SJR 31-Sater
 SJR 32-Sater
 SJR 33-Emery, with SCS
 SJR 40-Koenig
 SJR 44-Eigel
 SJRs 48, 41 & 43-Luetkemeyer, with SCS
 SJR 59-Eigel
 SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
 HCS for HB 1414, with SCS (Sater)
 HB 1559-Remole, with SCS (Hoskins)
 HB 1640-Taylor (Bernskoetter)
 HCS for HB 1682, with SCS (Sater)

HCS for HB 1683, with SCS (Wallingford)
 HB 1700-Fishel, with SCS (Hough)
 HB 1963-Fitzwater, with SCS, SS for SCS,
 SA 7 & SA 1 to SA 7 (pending) (Libla)
 HCS for HB 2049, with SCS (Emery)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 662-Bernskoetter, with HCS,
 as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SB 618-Wallingford, with HCS,
 as amended

SCS for SB 653-Crawford, with HCS,
 as amended

HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with SS# 2 for SCS,
as amended (Luetkemeyer)

HCS for HB 2046, with SS, as amended
(Bernskoetter)

HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-THIRD DAY—MONDAY, MAY 11, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Sing praises to the Lord, O you his faithful ones, and give thanks to his holy name,” (Psalm 30:4)

We give You thanks, O Lord, for the sun that brings joy to our hearts and the safe travel it provides seeing all that was before us. We celebrate the lushness of the green grass and plants and for the beauty of blooming trees and flowers. We gather this afternoon to work on legislation that we deem worthy and of help to those we serve. May our time here be fruitful and bring blessings from Your guidance to us. And we pray for those who continue to provide comfort and healing to those who suffer and endure this virus. Let us continue to honor those who provide support and those who give medical aide. And may we find ways to give them thanks for their ministry to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Friday, May 8, 2020 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1452, regarding Dennis E. Cohen, which was adopted.

Senator Wallingford offered Senate Resolution No. 1453, regarding Katherine Carter, St. Charles, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1454, regarding the Two Hundredth Anniversary of Cole County, Missouri, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The House refuses to adopt **SS No. 2** for **HB 1693**, and requests the Senate to recede from its position and, failing to do so, grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 32**.

Concurrent Resolution enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 551**, entitled:

An Act to repeal sections 303.200, 375.246, 376.782, 379.860, 383.155, 383.160, and 383.175, RSMo, and to enact in lieu thereof twenty-one new sections relating to regulation of certain personal lines insurance services.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 551, Page 4, Section 303.200, Line 68, by inserting after all of said line the following:

“303.220. 1. Any religious denomination which has more than twenty-five members with motor vehicles and [prohibits] **discourages** its members from purchasing insurance, of any form, as being contrary to its religious tenets, may qualify as a self-insurer by obtaining a self-insurance certificate issued by the director as provided in subsection 3 of this section.

2. Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the director as provided in subsection 3 of this section.

3. The director may, in his discretion, upon the application of any religious denomination or person described in subsection 1 or 2 of this section, issue a certificate of self-insurance when he is satisfied that such religious denomination or person is possessed and will continue to be possessed of the ability to pay judgments obtained against such religious denomination or person.

4. Upon not less than ten days' notice and a hearing pursuant to such notice, the director may, upon

reasonable grounds, cancel a certificate of self-insurance. Failure to pay any judgment within thirty days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 551, Page 30, Section 379.1808, Line 1, by deleting the word, “**liens**” and inserting in lieu thereof the word, “**lines**”; and

Further amend said bill by amending the title and enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HBs 1387** and **1482**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1386**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HB 2555**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator O’Laughlin, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1540**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 2120**, with **SCS**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto three new sections relating to water safety and security.

Was taken up by Senator Wallingford.

SCS for **HCS** for **HB 2120**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2120

An Act to amend chapters 640 and 701, RSMo, by adding thereto five new sections relating to water safety and security.

Was taken up.

Senator Wallingford moved that **SCS** for **HCS** for **HB 2120** be adopted.

Senator Wallingford offered **SS** for **SCS** for **HCS** for **HB 2120**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2120

An Act to repeal sections 393.1009, 393.1012, and 393.1015, RSMo, and to enact in lieu thereof eight new sections relating to safety of utility infrastructure.

Senator Wallingford moved that **SS** for **SCS** for **HCS** for **HB 2120** be adopted.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2120, Page 15, Section 701.200, Lines 17-18, by striking “exceed five parts per billion of lead” and inserting in lieu thereof the following: “**exceed current standards for parts per billion of lead established by the United States Environmental Protection Agency**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2120, Page 1, Section A, Line 4, by inserting after all of said line the following:

“67.5122. Sections 67.5110 to 67.5122 shall expire on January 1, [2021] **2025**, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation.”; and

Further amend said bill, page 12, section 393.1015, line 18 by inserting after all of said line the following:

“620.2459. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the [new] program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset [automatically three years after August 28, 2018] **on June 30, 2027**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset automatically six years after the effective date of the reauthorization of sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458; and

(3) Sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

Senator Hegeman offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2120, Page 1, In the Title, Line 4, by striking “safety of”; and further amend said bill and page, Section A, line 4, by inserting after all of said line the following:

“67.5122. Sections 67.5110 to 67.5122 shall expire on January 1, [2021] **2025**, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation.”; and

Further amend said bill, page 12, section 393.1015, line 18 by inserting after all of said line the following:

“620.2459. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the [new] program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset [automatically three years after August 28, 2018] **on June 30, 2027**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset automatically six years after the effective date of the reauthorization of sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458; and

(3) Sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above substitute amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2120, Page 12, Section 393.1015, Lines 8-16, by striking all of said lines and inserting in lieu thereof the following:

“12. Any gas corporation whose ISRS is found by a court of competent jurisdiction to include unlawful and inappropriate charges shall refund every current customer of the gas corporation who paid such charges, before the gas corporation can file for a new ISRS.”.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that SS for SCS for HCS for **HB 2120**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, SS for SCS for HCS for **HB 2120** was read the 3rd time and passed and was recognized to close.

President Pro Tem Schatz referred SS for SCS for HCS for **HB 2120** to the Committee on Fiscal Oversight.

HB 1700, introduced by Representative Fishel, with SCS, entitled:

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to taxation in certain political subdivisions.

Was taken up by Senator Hough.

SCS for **HB 1700**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1700

An Act to repeal sections 32.310, 67.730, 67.1360, 94.838, 94.900, 94.902, 137.180, 138.434, 144.140, 144.605, 144.710, 144.757, 144.759, 205.202, and 321.552, RSMo, and to enact in lieu thereof twenty-five new sections relating to taxation, with an emergency clause for a certain section and an effective date for certain sections.

Was taken up.

Senator Hough moved that SCS for **HB 1700** be adopted.

Senator Hough offered SS for SCS for **HB 1700**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1700

An Act to repeal sections 32.310, 67.730, 67.1360, 68.075, 94.838, 94.900, 94.902, 137.115, 137.180, 137.385, 138.060, 138.090, 138.434, 143.121, 143.171, 143.1027, 144.140, 144.605, 144.710, 144.757, 144.759, 205.202, 321.552, 620.2005, and 620.2010, RSMo, and to enact in lieu thereof forty-three new sections relating to taxation, with an emergency clause for a certain section and an effective date for certain sections.

Senator Hough moved that SS for SCS for **HB 1700** be adopted.

Senator Koenig offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1700, Page 1, Section A,

Line 13, of said page, by inserting immediately after said line the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section, and shall be imposed on all transactions on which the Missouri state sales tax is imposed.

3. (1) Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

(2) For all tax years beginning on or after January 1, 2022, the rate of sales taxes imposed under the local sales tax law shall not exceed the following amounts:

(a) For local sales taxes imposed under the local sales tax law by a taxing entity that is incorporated as a city, town, or village, four and one-half percent;

(b) For local sales taxes imposed under the local sales tax law by a county, excluding cities not within a county, three and one-fourth percent;

(c) For local sales taxes imposed under the local sales tax law by all taxing jurisdictions other than those described in paragraphs (a) and (b) of this subdivision, the total combined rate of sales taxes in any given taxing jurisdiction shall not exceed three and one-fourth percent. For the purposes of this paragraph, local sales taxes imposed by taxing entities described in paragraphs (a) and (b) of this subdivision, in a given taxing jurisdiction shall not be included in the calculation of the total combined rate of sales taxes under this paragraph.

(3) For the purposes of subdivision (2) of this subsection, no transient guest tax or convention and tourism tax, including sections 92.325 to 92.340, shall be considered a local sales tax under the local sales tax law.

(4) In any election in which more than one sales tax levy is approved by the voters, and the passage of such levies results in a combined rate of sales tax in excess of the limits provided for under subdivision (2) of this subsection, only the sales tax levy receiving the most votes shall become effective, provided such levy does not result in a combined rate of sales tax in excess of the limits provided for under subdivision (2) of this subsection.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all transactions upon which the Missouri state sales tax is imposed to the extent and in the manner provided in sections 144.010 to [144.525] **144.527**, and the rules and regulations of the director of revenue

issued pursuant thereto]; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law].

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2022, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the _____ (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in a reduction of local revenue to provide for vital services for _____ (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2022, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2022, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, and calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a

licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2023.

(8) Notwithstanding any provision of law to the contrary, if any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed after the general election in November 2014, or if the taxing jurisdiction failed to present the ballot to the voters at a general election on or before November 2022, then the governing body of such taxing jurisdiction may, at any election subsequent to the repeal or after the general election in November 2022, if the jurisdiction failed to present the ballot to the voters, place before the voters the issue of imposing a sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 that were purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the _____ (local jurisdiction's name) apply and collect the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in an increase of local revenue to provide for vital services for _____ (local jurisdiction's name), and it will remove a competitive advantage that non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers have over Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(9) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is adopted, such tax shall take effect and be imposed on the first day of the second calendar quarter after the election.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under

such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] **6.** All applicable provisions contained in sections 144.010 to [144.525] **144.527** governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] **7.** All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to [144.525] **144.527**, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] **8.** The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to [144.525] **144.527** for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] **9.** All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] **10.** The penalties provided in section 32.057 and sections 144.010 to [144.525] **144.527** for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12.] **11.** (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors required to be titled under the laws of the state of Missouri, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, the sales tax upon the titling of all motor vehicles, trailers, boats, and outboard motors shall be imposed at the rate in effect at the location of the residence of the purchaser, and remitted to that local taxing entity, and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

[13.] **12.** Local sales taxes shall not be imposed on the seller of motor vehicles, trailers, boats, and

outboard motors required to be titled under the laws of the state of Missouri, but shall be collected from the purchaser by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] **13.** The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to [144.525] **144.527**. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost

or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.”; and

Further amend said bill, page 5, section 33.575, lines 18-28 of said page, by striking all of said lines and inserting in lieu thereof the following: “**shall be transferred to the general revenue fund.**”; and

Further amend said bill and section, page 6, lines 1-19 of said page, by striking all of said lines; and

Further amend said bill, page 65, section 138.434, line 4 of said page, by inserting immediately after said line the following:

“143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

2. (1) Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. No more than five reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the

previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half percent, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

3. (1) In addition to the rate reductions under subsection 2 of this section, beginning with the 2019 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by four-tenths of one percent. Such reduction in the rate of tax shall take effect on January first of the 2019 calendar year.

(2) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

4. (1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the calendar year following the calendar year in which the final reduction in the top rate of tax is made under subsection 2 of this section, the top rate of tax under subsection 1 of this section shall be reduced by eleven-hundredths of one percent. Such reduction in the rate of tax shall take effect on January first of a calendar year.

(2) The reduction in the rate of tax pursuant to this subsection shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

5. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.

[5.] 6. As used in this section, the following terms mean:

(1) “CPI”, the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;

(2) “CPI for the preceding calendar year”, the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;

(3) “Net general revenue collected”, all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;

(4) “Percent increase in inflation”, the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.”; and

Further amend said bill, page 95, section 143.1160, line 11 of said page, by inserting immediately after said line the following:

“144.011. 1. For purposes of [sections 144.010 to 144.525 and 144.600 to 144.748] **this chapter**, and the taxes imposed thereby, the definition of “retail sale” or “sale at retail” shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer’s trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer’s trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder’s interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner’s interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments,

of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by [sections 144.010 to 144.525] **this chapter** was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by [sections 144.010 to 144.525] **this chapter** was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes;

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.

144.014. 1. **(1)** Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, **and ending December 31, 2021**, the tax levied and imposed [pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746] **under this chapter** on all retail sales of food shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

(2) Notwithstanding other provisions of law to the contrary, beginning January 1, 2022, the tax levied and imposed under this chapter on all retail sales of food shall be at the rate of three-quarters of one percent. The revenue derived from the three-quarters of one percent pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as

provided in section 144.701.

2. For the purposes of this section, the term “food” shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section, except for vending machine sales, the term “food” shall not include food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events, except amounts paid for any instructional class;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) (a) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(b) If local and long distance telecommunications services subject to tax under this subdivision are aggregated with and not separately stated from charges for telecommunications service or other services not subject to tax under this subdivision, including, but not limited to, interstate or international telecommunications services, then the charges for nontaxable services may be subject to taxation unless the telecommunications provider can identify by reasonable and verifiable standards such portion of the charges not subject to such tax from its books and records that are kept in the regular course of business, including, but not limited to, financial statement, general ledgers, invoice and billing systems and reports, and reports

for regulatory tariffs and other regulatory matters;

(c) A telecommunications provider shall notify the director of revenue of its intention to utilize the standards described in paragraph (b) of this subdivision to determine the charges that are subject to sales tax under this subdivision. Such notification shall be in writing and shall meet standardized criteria established by the department regarding the form and format of such notice;

(d) The director of revenue may promulgate and enforce reasonable rules and regulations for the administration and enforcement of the provisions of this subdivision. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of sale at retail or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed

on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of [sections 144.010 to 144.525] **this chapter** which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words “This ticket is subject to a sales tax.”.

144.049. 1. For purposes of this section, the following terms mean:

(1) “Clothing”, any article of wearing apparel intended to be worn on or about the human body including, but not limited to, disposable diapers for infants or adults and footwear. The term shall include, but not be limited to, cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) “Personal computers”, a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) “School supplies”, any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less and any graphing calculator having a taxable value of one hundred fifty dollars or less.

2. In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state **and local** sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less, all retail sales of school supplies not to exceed fifty dollars per purchase, all computer software with a taxable value of three hundred fifty dollars or less, all graphing calculators having a taxable value of one hundred fifty dollars or less, and all retail sales of personal computers or computer peripheral devices not to exceed one thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following. **Where a purchaser and seller are located in two different time zones, the time zone of the seller’s location shall determine the authorized exemption period.**

3. [If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision’s local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision’s local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] **4.** This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] **5.** This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer [shall] **may** offer a sales tax refund in lieu of the sales tax holiday.

6. A sale of property which is eligible for an exemption under subsection 1 of this section but is purchased under a layaway sale shall only qualify for an exemption if:

(1) Final payment on a layaway order is made by, and the property is given to, the purchaser during the exemption period; or

(2) The purchaser selects the property and the seller accepts the order for the property during the exemption period, for immediate delivery upon full payment, even if delivery is made after the exemption period.

7. The exemption of a bundled transaction shall be calculated as provided by law for all other bundled transactions.

8. (1) For any discount offered by a seller that is a reduction of the sales price of the product, the discounted sales price shall determine whether the sales price falls below the price threshold provided in subsection 1 of this section. A coupon that reduces the sales price shall be treated as a discount only if the seller is not reimbursed for the coupon amount by a third party.

(2) If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular product and the purchaser has purchased both exempt property and taxable property, the seller shall allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in the same transaction.

9. Items that are normally sold as a single unit shall continue to be sold in that manner and shall not be priced separately and sold as individual items.

10. Items that are purchased during an exemption period but that are not delivered to the purchaser until after the exemption period due to the item not being in stock shall qualify for an exemption. The provisions of this subsection shall not apply to an item that was delivered during an exemption period but was purchased prior to or after the exemption period.

11. (1) If a purchaser purchases an item of eligible property during an exemption period, but later exchanges the item for a similar eligible item after the exemption period, no additional tax shall be due on the new item.

(2) If a purchaser purchases an item of eligible property during an exemption period, but later returns the item after the exemption period and receives credit on the purchase of a different nonexempt item, the appropriate sales tax shall be due on the sale of the newly purchased item.

(3) If a purchaser purchases an item of eligible property before an exemption period, but during

the exemption period returns the item and receives credit on the purchase of a different item of eligible property, no sales tax shall be due on the sale of the new item if the new item is purchased during the exemption period.

(4) For a sixty-day period immediately following the end of the exemption period, if a purchaser returns an exempt item, no credit for or refund of sales tax shall be given unless the purchaser provides a receipt or invoice that shows tax was paid, or the seller has sufficient documentation to show that tax was paid on the item being returned.

144.054. 1. As used in this section, the following terms mean:

(1) “Processing”, any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) “Producing” includes, but is not limited to, the production of, including the production and transmission of, telecommunication services;

(3) “Product” includes, but is not limited to, telecommunications services;

(4) “Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761] **this chapter and the local sales tax law as defined in section 32.085 and from the computation of the tax levied, assessed, or payable under this chapter and the local sales tax law as defined in section 32.085**, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. [The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.] The construction and application of this subsection as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter and the local sales tax law as defined in section 32.085**, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter and the local sales tax law as defined in section 32.085**, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease

is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter** and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter** and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.

5. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter** and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] **this chapter** and the local sales tax law as defined in section 32.085, all materials, manufactured goods, machinery and parts, electrical energy and gas, whether natural, artificial or propane, water, coal and other energy sources, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients and materials inserted by commercial or industrial laundries to treat, clean, and sanitize textiles in facilities which process at least five hundred pounds of textiles per hour and at least sixty thousand pounds per week.

144.060. 1. It shall be the duty of every person making any purchase or receiving any service upon which a tax is imposed by sections 144.010 to 144.510 to pay, to the extent possible under the provisions of section 144.285, the amount of such tax to the person making such sale or rendering such service. Any person who shall willfully and intentionally refuse to pay such tax shall be guilty of a misdemeanor. The provisions of this section shall not apply to any person making any purchase or sale of a motor vehicle subject to sales tax as provided by the Missouri sales tax law, unless such person making the sale is a motor vehicle dealer authorized to collect and remit sales tax pursuant to subsection 10 of section 144.070.

2. A purchaser shall be relieved from any additional tax, interest, additions, or penalties for failure to collect and remit the proper amount of tax owed on a purchase subject to sales tax under this chapter if:

(1) A purchaser's seller or a certified service provider relied on erroneous data provided by the director on tax rates, boundaries, taxing jurisdiction assignments, or in the taxability matrix created pursuant to section 144.124;

(2) A purchaser using a database created pursuant to section 144.123 received erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments; or

(3) A purchaser relied on erroneous data provided by the director in the taxability matrix created pursuant to section 144.124.

144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to [144.525] **144.527**, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the

tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. (1) Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

(2) Beginning January 1, 2021, where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue on or before the last day of the succeeding month.

3. Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to [144.525] **144.527**, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to [144.525] **144.527** on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

5. Any person may advertise or hold out or state to the public or to any customer directly that the tax or any part thereof imposed by sections 144.010 to [144.525] **144.527**, and required to be collected by the person, will be assumed or absorbed by the person, provided that the amount of tax assumed or absorbed shall be stated on any invoice or receipt for the property sold or service rendered. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. This subsection shall not apply to any retailer prohibited from collecting and remitting sales tax under section 66.630.”; and

Further amend said bill, page 96, section 144.140, line 1 of said page, by inserting immediately after said line the following:

“144.526. 1. This section shall be known and may be cited as the “Show Me Green Sales Tax Holiday”.

2. For purposes of this section, the following terms mean:

(1) “Appliance”, clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) “Energy star certified”, any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended

from time to time.

3. In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law **and all local sales and use taxes** all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars per appliance[,], during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth. **Where a purchaser and seller are located in two different time zones, the time zone of the seller's location shall determine the authorized exemption period.**

4. [A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.] **A sale of property which is eligible for an exemption under subsection 1 of this section but is purchased under a layaway sale shall only qualify for an exemption if:**

(1) Final payment on a layaway order is made by, and the property is given to, the purchaser during the exemption period; or

(2) The purchaser selects the property and the seller accepts the order for the property during the exemption period, for immediate delivery upon full payment, even if delivery is made after the exemption period.

5. (1) For any discount offered by a seller that is a reduction of the sales price of the product, the discounted sales price shall determine whether the sales price falls below the price threshold provided in subsection 1 of this section. A coupon that reduces the sales price shall be treated as a discount only if the seller is not reimbursed for the coupon amount by a third party.

(2) If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular product and the purchaser has purchased both exempt property and taxable property, the seller shall allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in the same transaction.

6. Items that are normally sold as a single unit shall continue to be sold in that manner and shall not be priced separately and sold as individual items.

7. Items that are purchased during an exemption period but that are not delivered to the purchaser until after the exemption period due to the item not being in stock shall qualify for an exemption. The provisions of this subsection shall not apply to an item that was delivered during an exemption period but was purchased prior to or after the exemption period.

8. (1) If a purchaser purchases an item of eligible property during an exemption period, but later exchanges the item for a similar eligible item after the exemption period, no additional tax shall be due on the new item.

(2) If a purchaser purchases an item of eligible property during an exemption period, but later returns the item after the exemption period and receives credit on the purchase of a different nonexempt item, the appropriate sales tax shall be due on the sale of the newly purchased item.

(3) If a purchaser purchases an item of eligible property before an exemption period, but during the exemption period returns the item and receives credit on the purchase of a different item of eligible property, no sales tax shall be due on the sale of the new item if the new item is purchased during the exemption period.

(4) For a sixty day period immediately following the end of the exemption period, if a purchaser returns an exempt item no credit for or refund of sales tax shall be given unless the purchaser provides a receipt or invoice that shows tax was paid, or the seller has sufficient documentation to show that tax was paid on the item being returned.”; and

Further amend said bill, page 105, section 144.637, line 2 of said page, by striking “databases” and inserting in lieu thereof the following: **database provided by the director**”; and

Further amend said bill, page 109, section 144.752, lines 10-12 of said page, by striking all of said lines and inserting in lieu thereof the following:

“5. A marketplace facilitator shall separately state on an invoice provided to a purchaser the use tax collected and remitted on behalf of a marketplace seller.”; and

Further amend said bill and section, page 110, line 5 of said page, by inserting immediately after “9.” the following: **“(1)”**; and further amend line 7 of said page, by striking “sales or”; and further amend line 8 of said page, by striking all of said line and inserting in lieu thereof the following: **“facilitated for marketplace sellers under the following circumstances:**

(a) To the extent that the”; and further amend line 15 of said page, by inserting immediately after said line the following:

“(b) To the extent that the marketplace facilitator demonstrates to the satisfaction of the department that:

a. The marketplace facilitator is not the seller and that the marketplace facilitator and marketplace seller are not affiliated;

b. The retail sale was facilitated for a marketplace seller through a marketplace operated by the marketplace facilitator; and

c. The failure to collect and remit the correct amount of use tax was due to an error other than an error in sourcing the sale under the provisions of this chapter.

(2) The relief from liability provided under subdivision (1) of this subsection shall not exceed the following percentage of the total use tax due on retail sales facilitated by a marketplace facilitator for marketplace sellers and sourced to this state during a calendar year, which such retail sales shall not include retail sales made directly by the marketplace facilitator or affiliates of the marketplace facilitator:

(a) For retail sales made or facilitated during the 2022 calendar year, four percent;

(b) For retail sales made or facilitated during the 2023 calendar year, two percent;

(c) For retail sales made or facilitated during the 2024 calendar year, one percent; and

(d) For retail sales made or facilitated for all years beginning January 1, 2025, zero percent.

(3) To the extent that a marketplace facilitator is relieved of liability for the collection of use tax under this subsection, the marketplace seller for whom the marketplace facilitator has made or facilitated the sale shall also be relieved of liability under this subsection.

(4) The department shall determine the manner in which a marketplace facilitator or marketplace seller shall apply for and claim the relief from liability provided for under this subsection.”; and

Further amend said bill, page 119, section 144.759, line 6 of said page, by inserting immediately after the second use of the word “county” the following: “; **provided, however, the county treasurer or other officer shall distribute that portion of the use tax imposed by the county equal to the rate of sales tax imposed by the county pursuant to section 67.547 for the purpose of funding zoological activities and zoological facilities of the zoological park subdistrict of the metropolitan zoological park and museum district as created pursuant to section 184.350**”; and

Further amend said bill, page 161, section C, line 10 of said page, by striking “144.140” and inserting in lieu thereof the following: “32.087, 143.011, 144.011, 144.014, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526,”; and further amend line 11 of said page, by striking “section” and inserting in lieu thereof the following: “sections 144.608, 144.637, 144.638, and”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted.

At the request of Senator Hough, **HB 1700**, with **SCS, SS for SCS and SA 1** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Luetkemeyer moved that the Senate refuse to recede from its position on **SS No. 2 for HB 1693** and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: The House of Representatives requests the Senate to grant further conference on **SS for SCS for HB 1768**, as amended.

PRIVILEGED MOTIONS

Senator Hegeman moved that the Senate grant the House further conference on **SS for SCS for HB 1768**, as amended, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS No. 2 for HB 1693**: Senators Luetkemeyer, Sater, O’Laughlin, Rizzo and Sifton.

REFERRALS

President Pro Tem Schatz referred **HCS for HBs 1387 and 1482** to the Committee on Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee

from the House on **SS** for **SCS** for **HCS** for **HB 1768**, as amended: Senators Hegeman, Crawford, Sater, Rizzo and Arthur.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FOURTH DAY—TUESDAY, MAY 12, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HBs 1387 & 1482 (Wallingford)
(In Fiscal Oversight)
HB 1386-Murphy, with SCS

HCS for HB 2555, with SCS (O’Laughlin)
HCS for HB 1540, with SCS (O’Laughlin)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater
SB 524-Sater
SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1 (pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)

SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS

SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O’Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig
SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer

SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HCS for HB 1414, with SCS (Sater)
HB 1559-Remole, with SCS (Hoskins)
HB 1640-Taylor (Bernskoetter)
HCS for HB 1682, with SCS (Sater)
HCS for HB 1683, with SCS (Wallingford)
HB 1700-Fishel, with SCS, SS for SCS &
SA 1 (pending) (Hough)

HB 1963-Fitzwater, with SCS, SS for SCS,
SA 7 & SA 1 to SA 7 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)
SS for SCS for HCS for HB 2120 (Wallingford)
(In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 551-Wieland, with HCS, as amended

SCS for SB 662-Bernskoetter, with HCS,
as amendedBILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 653-Crawford, with HCS, as amended
HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with SS# 2 for SCS,
as amended (Luetkemeyer)

HB 1693-Rehder, with SS#2 (Luetkemeyer)
HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)
HCS for HB 2046, with SS, as amended
(Bernskoetter)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FOURTH DAY—TUESDAY, MAY 12, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Prove me, O Lord, and try me; test my heart and mind. For your steadfast love is before my eyes, and I walk in faithfulness to you.”
(Psalm 26:2-3)

Heavenly Father, Your word tells us that we ought to be amazed with what You have created and the hope You provide as we still read of those who are struck down with Covid 19 and those who die. As our state opens up and numbers of new cases are going down we rejoice while being cautious and aware of the responsibilities You have put on us. Help us focus on what is necessary for us to do while embracing the hope and joy that this time provides as we move forward in Your presence. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

REFERRALS

President Pro Tem Schatz referred **HB 1386**, with SCS and **HCS** for **HB 2555**, with SCS, to the Committee on Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Wieland moved that the Senate refuse to concur in **SB 551**, with **HCS**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Crawford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 653** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 653

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 653, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 653, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 653;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 653, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sandy Crawford
/s/ David Sater
/s/ Jeanie Riddle
/s/ Jill Schupp
/s/ Karla D. May

FOR THE HOUSE:

/s/ Sheila Solon
/s/ Hannah S. Kelly
/s/ Mary Elizabeth Coleman
/s/ Keri Ingle
/s/ Rasheen Aldridge

Senator Crawford moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Crawford, **CCS** for **HCS** for **SCS** for **SB 653**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 653

An Act to repeal sections 210.112, 210.145, 210.566, and 211.171, RSMo, and to enact in lieu thereof eight new sections relating to the protection of children.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Crawford, title to the bill was agreed to.

Senator Crawford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1414**, with **SCS**, entitled:

An Act to repeal sections 210.145 and 210.566, RSMo, and to enact in lieu thereof three new sections relating to the protection of children.

Was taken up by Senator Sater.

SCS for **HCS** for **HB 1414**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1414

An Act to repeal sections 193.265, 208.151, 210.025, 210.109, 210.112, 210.135, 210.145, 210.150,

210.160, 210.201, 210.211, 210.221, 210.252, 210.254, 210.566, 210.790, 210.1080, 211.171, 431.056, and 453.121, RSMo, and to enact in lieu thereof twenty new sections relating to protection of children, with an existing penalty provision.

Was taken up.

Senator Sater moved that **SCS** for **HCS** for **HB 1414** be adopted.

Senator Sater offered **SS** for **SCS** for **HCS** for **HB 1414**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1414

An Act to repeal sections 193.265, 208.151, 210.025, 210.109, 210.112, 210.135, 210.145, 210.150, 210.160, 210.201, 210.211, 210.221, 210.252, 210.254, 210.566, 210.1080, 211.171, 431.056, and 453.121, RSMo, and to enact in lieu thereof twenty new sections relating to protection of children, with an existing penalty provision.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1414** be adopted.

Senator Koenig offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1414, Page 93, Section 211.135, Line 24 of said page, by inserting after "211.135." the following: **"1."**; and

Further amend said bill and section, Page 94, Line 10 of said page, by inserting after all of said line the following:

"2. Nothing in this section shall be construed to interfere with the right of a child to attend a hearing under subdivision (7) of subsection 3 of section 210.564."

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator Arthur offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1414, Page 105, Section 453.121, Line 19 of said page, by inserting immediately after all of said line the following:

"Section 1. The department of social services may seek a waiver of the Institutions for Mental Disease (IMD) exclusion for the comprehensive substance treatment and rehabilitation program as administered by the department of mental health."; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1414, Pages 59-63, Section 210.160, striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1414, Page 105, Section 453.121, Line 19 of said page, by inserting after all of said line the following:

“571.070. 1. A person commits the offense of unlawful possession of a firearm if such person knowingly has any firearm in his or her possession and:

(1) Such person has been convicted of a felony under the laws of this state, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a felony, **or has been convicted in any court of a misdemeanor crime of domestic violence; [or]**

(2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent, **is illegally or unlawfully in the United States, or having been a citizen of the United States, has renounced United States citizenship; or**

(3) Such person is subject to a court order that:

(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(b) Restrains such person from harassing, stalking, or threatening a petitioner, as defined in subdivision (11) of section 455.010, or a child of such petitioner, or engaging in other conduct that would place such petitioner in reasonable fear of bodily injury to the petitioner or child; and

a. Includes a finding that such person represents a credible threat to the physical safety of such petitioner or child; or

b. By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such petitioner or child that would reasonably be expected to cause bodily injury.

2. Unlawful possession of a firearm is a class D felony.

3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to the possession of an antique firearm.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1414**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **HCS** for **HB 1414**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **HB 2015**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **SB 591**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** & **HCS** for **HB 1898**, as amended, and has taken up and passed **CCS** for **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** & **HCS** for **HB 1898**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

has taken up and adopted the Conference Committee Report on **SS** for **HCS** for **HB 2046**, as amended, and has taken up and passed **CCS** for **SS** for **HCS** for **HB 2046**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 569**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 656**, entitled:

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, 210.150, 301.451, and 571.104, RSMo, and to enact in lieu thereof sixteen new sections relating to veterans.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 656, Page 27, Section 571.104, Lines 155-158, by deleting said lines and inserting in lieu thereof the following words **“full-time National Guard duty under Title 32 of the United States Code.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 656, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“9.302. August nineteenth each year shall be designated as “Honor Guard Appreciation Day” in Missouri. Citizens of this state are encouraged to participate in appropriate events and activities to express appreciation for honor guards and the services they provide for deceased veterans and service members.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 656, Page 15, Section 208.151, Line 241, inserting after all of said section and line the following:

“209.150. 1. Every person with a [visual, aural, or other] disability, [including diabetes,] as defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a [visual, aural, or other] disability, [including diabetes,] as defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any

other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a [visual, aural, or other] disability, [including diabetes,] as defined in section 213.010, shall have the right to be accompanied by a [guide dog, hearing dog, or] service dog **or dogs, as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the [guide dog, hearing dog, or] service dog **or dogs, as defined in section 209.200**; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term “service dog” [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] **shall have the same definition as in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions of the Americans With Disabilities Act, the following terms shall mean:

(1) “Disability”, as defined in section 213.010 including diabetes;

(2) “Service dog”, a dog that is being or has been [specially] **individually** trained to do work or perform tasks [which] **for the benefit [a particular person] of an individual** with a disability, **including a physical, sensory, psychiatric, intellectual, or other mental disability**. Service dog includes but is not limited to:

(a) “Guide dog”, a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) “Hearing dog”, a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) “Medical alert or [respond] **response** dog”, a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) **“Mental health service dog” or “psychiatric service dog”, a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties directly related to the owner’s psychiatric disability, medical condition, or developmental disability;**

(e) “Mobility dog”, a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;

[(e)] (f) “Professional therapy dog”, a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler’s occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs,

certified or not, which are used by volunteers in visitation therapy;

[(f)] (g) “Search and rescue dog”, a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) “Service dog team”, a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.

209.204. 1. Any person who knowingly impersonates a person with a disability for the purpose of receiving the accommodations regarding service dogs under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., is guilty of a class C misdemeanor and shall also be civilly liable for the amount of any actual damages resulting from such impersonation. Any second or subsequent violation of this section is a class B misdemeanor. For purposes of this section, “impersonates a person with a disability” means a representation by word or action as a person with a disability [or a representation of a dog by word or action as a service dog].

2. No person shall knowingly misrepresent a dog as a service dog for the purpose of receiving the accommodations regarding service dogs under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq. For purposes of this section, “misrepresent a dog as a service dog” means a representation by word or action that a dog has been trained as a service dog as defined in section 209.200. Misrepresentation of a service dog includes, but is not limited to:

(1) Knowingly creating documents that falsely represent that a dog is a service dog;

(2) Knowingly providing to another person documents falsely stating that a dog is a service dog;

(3) Knowingly fitting a dog, if the dog is not a service dog, with a harness, collar, vest, or sign of the type commonly used by a person with a disability to indicate a dog is a service dog; or

(4) Knowingly representing that a dog is a service dog if the dog has not completed training to perform disability-related tasks or do disability-related work for a person with a disability.

A person who violates this subsection is guilty of a class C misdemeanor and shall also be civilly liable for any actual damages resulting from such misrepresentation. Any second or subsequent violation of this subsection is a class B misdemeanor.

3. No person shall knowingly misrepresent any animal as an assistance animal for the purpose of receiving the accommodations regarding assistance animals under the Fair Housing Act, 42 U.S.C. Section 3601, et seq., or the Rehabilitation Act, 29 U.S.C. Section 701, et seq. For the purposes of this section an “assistance animal” is an animal that works, provides assistance, or performs tasks, or is being trained to work, provide assistance, or perform tasks, for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person’s disability. While dogs are the most common type of assistance animal, other animals can also be assistance animals. Misrepresentation of an assistance animal includes, but is not limited to:

(1) Knowingly creating documents that falsely represent that an animal is an assistance animal;

(2) Knowingly providing to another person documents falsely stating that an animal is an

assistance animal;

(3) Knowingly fitting an animal, if the animal is not an assistance animal, with a harness, collar, vest, or sign of the type commonly used by a person with a disability to indicate an animal is an assistance animal; or

(4) Knowingly and intentionally misrepresenting a material fact to a health care provider for the purpose of obtaining documentation from the health care provider necessary to designate an animal as an assistance animal. All documentation for an assistance animal must be from a qualified professional as permitted under the Fair Housing Act, 42 U.S.C. Section 3601, et seq., or the Rehabilitation Act, 29 U.S.C. Section 701, et seq.

A person who violates this subsection is guilty of a class C misdemeanor and shall also be civilly liable for any actual damages resulting from such misrepresentation. Any second or subsequent violation of this subsection is a class B misdemeanor.

4. The governor's council on disability shall prepare and make available online a placard suitable for posting in a front window or door, stating that service dogs are welcome and that misrepresentation of a service dog is a violation of Missouri law, as well as a brochure detailing permissible questions as allowed by the Americans with Disabilities Act, a business owner may ask in order to determine whether a dog is a service dog, and guidelines defining unacceptable behavior.

5. The governor's council on disability shall prepare and make available online a brochure for landlords and tenants regarding laws relating to service dogs, assistance animals, and housing under federal and Missouri law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 656, Page 2, Section 27.115, Line 7, by inserting after said section and line the following:

“42.017. 1. The commission shall actively seek out, within every county of this state and within any city not within a county, business organizations that have available job opportunities and are interested in hiring veterans to fill those opportunities. The commission shall collect contact information from such business organizations and shall prominently display such contact information in a table on the commission's website. The list of business organizations included in the table shall be arranged by county and city not within a county.

2. The commission may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 551**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS No. 2** for **HB 1693**. Representatives: Rehder, Stephens (128), Kolkmeier, Roberts (77), McCreery.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 1768**. Representatives: Riggs, Miller, Francis, Roberts (77), Pierson Jr.

PRIVILEGED MOTIONS

Senator Bernskoetter, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HCS** for **HB 2046** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2046

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill No. 2046, with Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 1 to Senate Amendment No. 8, Senate Amendment No. 2 to Senate Amendment No. 8, Senate Amendment No. 8, as amended, Senate Amendment No. 9, and Senate Amendment No. 11 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill No. 2046, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 2046;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill No. 2046, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Derek Grier

/s/ Dan Houx

FOR THE SENATE:

/s/ Mike Bernskoetter

/s/ Andrew Koenig

/s/ Robert Ross

/s/ Jeanie Riddle

/s/ Richard Brown

/s/ Scott Sifton

Jon Carpenter

/s/ Gina Walsh

Senator Bernskoetter moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Bernskoetter, **CCS for SS for HCS for HB 2046**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2046

An Act to repeal sections 58.095, 58.451, 58.720, 190.094, 190.105, 190.143, 190.196, 193.145, 193.265, 209.334, 214.276, 256.477, 317.015, 324.009, 324.047, 324.086, 324.217, 324.262, 324.265, 324.436, 324.496, 324.523, 324.940, 324.1112, 324.1118, 326.277, 326.280, 326.289, 327.131, 327.221, 327.312, 327.381, 327.441, 327.612, 328.075, 328.150, 329.140, 331.030, 331.060, 332.231, 332.251, 332.281, 332.291, 333.041, 334.414, 334.530, 334.613, 334.616, 334.655, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, 334.725, 334.920, 336.030, 336.080, 336.110, 337.020, 337.029, 337.035, 337.050, 337.330, 337.510, 337.525, 337.615, 337.630, 337.644, 337.645, 337.665, 337.715, 337.730, 338.220, 339.040, 339.100, 339.511, 339.532, 344.030, 344.050, 345.015, 345.050, 345.065, 346.055, 346.105, and 436.230, RSMo, and section 324.009 as enacted by house committee substitute for house bill nos. 1511 & 1452, one hundredth general assembly, second regular session, and to enact in lieu thereof ninety-six new sections relating to professional registration, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh

White Wieland Williams—31

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Bernskoetter, title to the bill was agreed to.

Senator Bernskoetter moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIFTH DAY—WEDNESDAY, MAY 13, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HBs 1387 & 1482 (Wallingford)
(In Fiscal Oversight)

HB 1386-Murphy, with SCS
(In Fiscal Oversight) (Wieland)

HCS for HB 2555, with SCS
(O’Laughlin) (In Fiscal Oversight)

HCS for HB 1540, with SCS (O’Laughlin)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater

SB 524-Sater

SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)
SB 526-Emery, with SCS
SB 529-Cunningham, with SCS
SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)
SB 531-Wallingford, with SS & SA 1 (pending)
SB 537-Libla
SBs 538, 562 & 601-Libla, with SCS,
SS for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)
SB 542-Nasheed, with SCS
SB 548-Hegeman
SB 555-Riddle
SB 557-Schatz, with SCS
SB 558-Schatz, with SCS
SB 559-Schatz, with SCS
SB 568-Hoskins, with SCS
SB 572-Rowden
SB 575-Eigel, with SS#2 & SA 2 (pending)
SB 576-Crawford, with SCS
SB 581-Cierpiot, with SCS
SB 583-Arthur, with SCS
SB 586-Bernskoetter, with SCS
SB 590-Burlison, with SCS
SB 592-White
SB 595-Hough, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS
SB 605-O'Laughlin, with SCS
SB 608-May, with SCS
SB 612-Emery, with SCS
SB 613-Emery, with SCS
SB 615-Cunningham
SB 625-Libla, with SCS
SB 633-Hegeman
SB 636-Wieland
SB 639-Riddle
SB 640-Onder
SB 645-Hoskins, with SCS
SB 646-Koenig

SB 647-Koenig, with SCS
SB 648-Koenig, with SCS, SS#2 for SCS &
SA 1 (pending)
SB 649-Eigel
SB 661-Bernskoetter, with SCS
SB 665-Burlison
SB 670-Hough, with SCS, SS for SCS & SA 1
(pending)
SB 674-Brown
SBs 675 & 705-Luetkemeyer, with SCS
SB 677-Luetkemeyer
SB 690-Cunningham
SB 696-Sifton
SB 699-Riddle, with SCS
SB 701-Onder
SB 703-Hoskins, with SCS
SB 714-Burlison, with SCS
SB 716-Burlison
SB 748-White
SB 756-Sifton, with SCS
SB 764-Onder, with SCS
SB 768-Onder, with SCS
SB 779-Crawford
SB 780-Hough, with SCS
SB 784-Wallingford
SB 797-Wieland, with SCS
SB 802-Hegeman
SB 809-Brown, with SCS
SB 857-Luetkemeyer, with SCS
SB 885-Walsh
SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS
SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HB 1559-Remole, with SCS (Hoskins)
HB 1640-Taylor (Bernskoetter)
HCS for HB 1682, with SCS (Sater)
HCS for HB 1683, with SCS (Wallingford)
HB 1700-Fishel, with SCS, SS for SCS &
SA 1 (pending) (Hough)

HB 1963-Fitzwater, with SCS, SS for SCS,
SA 7 & SA 1 to SA 7 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)
SS for SCS for HCS for HB 2120
(Wallingford) (In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 656-Cierpiot, with HCS, as amended

SCS for SB 662-Bernskoetter, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 551-Wieland, with HCS, as amended
SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 653-Crawford, with HCS,
as amended
(Senate adopted CCR and passed CCS)
HB 1450, HB 1296, HCS for HB 1331 & HCS
for HB 1898-Schroer, with SS# 2 for
SCS, as amended (Luetkemeyer)
(House adopted CCR and passed CCS)

HB 1693-Rehder, with SS#2 (Luetkemeyer)
HB 1768-Riggs, with SS for SCS, as amended
(Hegeman)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIFTH DAY—WEDNESDAY, MAY 13, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Hegeman offered the following prayer:

“They receive blessings from the Lord, and vindication from the God of their salvation.” (Psalm 24:5)

Merciful God, You touch our lives with hope and joy, guidance and power so that we might know Your love and graciousness to us, Your people. Make us willing to open ourselves to Your prompting and become the people of godly character You desire each of us to be. And come to us this day and make us eager to experience Your love and power working through us as we move through the bills before us that are helpful and useful to our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 1455, regarding Alejandra Castaneda, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 1456, regarding Ashley Early, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 1457, regarding Alayna Jenkins, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 1458, regarding Kristi Lewis, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 1459, regarding Melanie Norby, St. Peters, which was adopted.

Senator White offered Senate Resolution No. 1460, regarding Dr. Alan D. Marble, Neosho, which was adopted.

Senator Crawford offered Senate Resolution No. 1461, regarding Dr. Garland “Mark” Beem, Preston, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SS** for **SCS** for **HB 1768**, and has taken up and passed **CCS No. 2** for **SS** for **SCS** for **HB 1768**.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SS** for **SCS** for **HCS** for **HB 2120**; **HB 1386**, with **SCS**; **HCS** for **HBs 1387** and **1482**; and **HCS** for **HB 2555**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SB 551**, with **HCS**, as amended: Senators Wieland, Crawford, Cunningham, Arthur and Sifton.

PRIVILEGED MOTIONS

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **CCR No. 2** for **SS** for **SCS** for **HB 1768** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1768

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1768, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 3 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and

do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1768, as amended;
2. That the House recede from its position on House Bill No. 1768;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 1768, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Louis Riggs
 /s/ Rick Francis
 /s/ Rocky Miller
 /s/ Tommie Pierson Jr.
 /s/ Steven Roberts

FOR THE SENATE:

/s/ Daniel J. Hegeman
 /s/ Sandy Crawford
 /s/ David Sater
 /s/ Lauren Arthur
 /s/ John Rizzo

Senator Hegeman moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS No. 2** for **SS** for **SCS** for **HB 1768**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 1768

An Act to repeal sections 67.453, 67.1461, 67.1846, 67.5122, 392.020, 620.2451, 620.2456, and 620.2459, RSMo, and to enact in lieu thereof eight new sections relating to communications services.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo

Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Cierpiot moved that **HCS for SB 656**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for SB 656, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 656

An Act to repeal sections 168.021, 192.2305, 208.151, 210.109, 210.150, 301.451, and 571.104, RSMo, and to enact in lieu thereof sixteen new sections relating to veterans.

Was taken up.

Senator Cierpiot moved that **HCS for SB 656**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Cierpiot, **HCS for SB 656**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Cierpiot, title to the bill was agreed to.

Senator Cierpiot moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HCS for HB 1682, with **SCS**, entitled:

An Act to repeal section 191.775, RSMo, and to enact in lieu thereof one new section relating to permissible usage of vapor products in public schools.

Was taken up by Senator Sater.

SCS for HCS for HB 1682, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1682

An Act to repeal sections 190.092, 190.094, 190.105, 190.143, 190.196, 191.775, 192.2000, 192.2305, 195.070, 196.990, 208.909, 208.918, 208.924, 338.220, 376.383, 376.387, 376.945, and 376.1578, RSMo, and to enact in lieu thereof twenty-nine new sections relating to health care, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Sater moved that **SCS for HCS for HB 1682** be adopted.

Senator Sater offered **SS for SCS for HCS for HB 1682**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1682

An Act to repeal sections 190.092, 190.094, 190.105, 190.143, 190.196, 190.606, 190.612, 191.775,

191.1146, 192.2305, 195.070, 195.417, 196.990, 205.202, 208.909, 208.918, 208.924, 338.035, 338.210, 338.220, 338.260, 376.383, 376.387, 376.945, 376.1578, 579.060, and 610.100, RSMo, and to enact in lieu thereof thirty-eight new sections relating to health care, with penalty provisions and an emergency clause for a certain section.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1682** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 58, Section 338.260, Line 5 of said page by inserting immediately after all of said line the following:

“344.030. 1. An applicant for an initial license shall file a completed application with the board on a form provided by the board, accompanied by an application fee as provided by rule payable to the department of health and senior services. Information provided in the application shall be attested by signature to be true and correct to the best of the applicant’s knowledge and belief.

2. No initial license shall be issued to a person as a nursing home administrator unless:

(1) The applicant provides the board satisfactory proof that the applicant is of good moral character and a high school graduate or equivalent;

(2) The applicant provides the board satisfactory proof that the applicant has had a minimum of three years’ experience in health care administration or two years of postsecondary education in health care administration, **or an associate degree or higher from an accredited academic institution**, or has satisfactorily completed a course of instruction and training prescribed by the board, which includes instruction in the needs properly to be served by nursing homes, the protection of the interests of residents therein, and the elements of good nursing home administration, or has presented evidence satisfactory to the board of sufficient education, training, or experience in the foregoing fields to administer, supervise and manage a nursing home; and

(3) The applicant passes the examinations administered by the board. If an applicant fails to make a passing grade on either of the examinations such applicant may make application for reexamination on a form furnished by the board and may be retested. If an applicant fails either of the examinations a third time, the applicant shall be required to complete a course of instruction prescribed and approved by the board. After completion of the board-prescribed course of instruction, the applicant may reapply for examination. With regard to the national examination required for licensure, no examination scores from other states shall be recognized by the board after the applicant has failed his or her third attempt at the national examination. There shall be a separate, nonrefundable fee for each examination. The board shall set the amount of the fee for examination by rules and regulations promulgated pursuant to section 536.021. The fee shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the examination.

3. Nothing in sections 344.010 to 344.108, or the rules or regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator, who is employed by an institution listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., to administer institutions certified by such commission for the care and treatment of the sick in

accordance with the creed or tenets of a recognized church or religious denomination, to demonstrate proficiency in any techniques or to meet any educational qualifications or standards not in accord with the remedial care and treatment provided in such institutions. The applicant's license shall be endorsed to confine the applicant's practice to such institutions.

4. The board may issue a temporary emergency license for a period not to exceed [ninety] **one hundred and twenty** days to a person [twenty-one years of age or over, of good moral character and a high school graduate or equivalent] **that has met the temporary emergency license criteria established by the board** to serve as an acting [nursing home] administrator, provided such person is replacing a licensed [nursing home] administrator who has died, has been removed or has vacated the [nursing home] administrator's position. No temporary emergency license may be issued to a person who has had [a nursing home] **an** administrator's license denied, suspended or revoked. [A temporary emergency license may be renewed for one additional ninety-day period upon a showing that the person seeking the renewal of a temporary emergency license meets the qualifications for licensure and has filed an application for a regular license, accompanied by the application fee, and the applicant has taken the examination or examinations but the results have not been received by the board. No temporary emergency license may be renewed more than one time.]; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Hough assumed the Chair.

Senator Arthur offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24 of said page, by inserting immediately after said line the following:

“Section 1. The department of social services may seek a waiver of the Institutions for Mental Disease (IMD) exclusion for the comprehensive substance treatment and rehabilitation program as administered by the department of mental health.”; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

President Kehoe assumed the Chair.

Senator May offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24 of said page, by inserting immediately after all of said line the following:

“Section 1. The month of August shall be known as “Minority Organ Donor Awareness Month”. The citizens of this state are encouraged to observe the month with appropriate events and activities to raise awareness of organ donation by all ethnic groups and the need for organ donors.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Walsh assumed the Chair.

Senator Hoskins offered SA 1 to SA 3, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, Lines 4-6, by striking all of said lines and inserting in lieu thereof the following:

“Section 1. The first week of August shall be known as “Organ Donor Awareness Week”. The citizens of this state are encouraged to observe the week with appropriate events and”.

Senator Hoskins moved that the above amendment be adopted.

At the request of Senator May, SA 3 was withdrawn, rendering SA 1 to SA 3 moot.

Senator Cierpiot offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 2, Section 9.182, Line 18 of said page, by inserting immediately after all of said line the following:

“143.1160. 1. As used in this section, the following terms mean:

- (1) “Account holder”, the same meaning as that term is defined in section 191.1603;**
- (2) “Deduction”, an amount subtracted from the taxpayer’s Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;**
- (3) “Eligible expenses”, the same meaning as that term is defined in section 191.1603;**
- (4) “Long-term dignity savings account”, the same meaning as that term is defined in section 191.1603;**
- (5) “Qualified beneficiary”, the same meaning as that term is defined in section 191.1603;**
- (6) “Taxpayer”, any individual who is a resident of this state and subject to the income tax imposed under this chapter, excluding withholding tax imposed under sections 143.191 to 143.265.**

2. For all tax years beginning on or after January 1, 2021, a taxpayer shall be allowed a deduction of one hundred percent of a participating taxpayer’s contributions to a long-term dignity savings account in the tax year of the contribution. Each taxpayer claiming the deduction under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the deduction claimed shall not exceed the amount of the taxpayer’s Missouri adjusted gross income for the tax year that the deduction is claimed, and shall not exceed four thousand dollars per taxpayer claiming the deduction, or eight thousand dollars if married filing combined.

3. Income earned or received as a result of assets in a long-term dignity savings account shall not

be subject to state income tax imposed under this chapter. The exemption under this section shall apply only to income maintained, accrued, or expended pursuant to the requirements of sections 191.1601 to 191.1607, and no exemption shall apply to assets and income expended for any other purpose. The amount of the deduction claimed shall not exceed the amount of the taxpayer's Missouri adjusted gross income for the tax year the deduction is claimed.

4. If any deductible contributions to or earnings from any such programs referred to in this section are distributed and not used to pay for eligible expenses or are not held for the minimum length of time under subsection 2 of section 191.1605, the amount so distributed shall be added to the Missouri adjusted gross income of the account holder or, if the account holder is not living, the qualified beneficiary, in the year of distribution.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first four years after August 28, 2020, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first four years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, page 16, section 191.1146, line 11 of said page, by inserting immediately after all of said line the following:

“191.1601. Section 143.1160 and sections 191.1601 to 191.1607 shall be known and may be cited as the “Long-Term Dignity Act”.

191.1603. As used in sections 191.1601 to 191.1607, the following terms mean:

(1) “Account holder”, an individual who establishes an account with a financial institution that is designated as a long-term dignity savings account in accordance with section 191.1604;

(2) “Department”, the department of revenue;

(3) “Eligible expenses”, the same meaning as “qualified long-term care services” in 26 U.S.C. Section 7702B(c);

(4) “Financial institution”, any state bank, state trust company, savings and loan association, federally chartered credit union doing business in this state, credit union chartered by the state of

Missouri, national bank, broker-dealer, mutual fund, insurance company, or other similar financial entity qualified to do business in this state;

(5) “Long-term dignity savings account” or “account”, an account with a financial institution designated as such in accordance with subsection 1 of section 191.1604;

(6) “Qualified beneficiary”, an individual designated by an account holder for whose eligible expenses the moneys in a long-term dignity savings account are or will be used; provided, that such individual meets the definition of a “chronically ill individual” in 26 U.S.C. Section 7702B(c)(2) at the time the moneys are used.

191.1604. 1. Beginning January 1, 2021, any individual may open an account with a financial institution and designate the account, in its entirety, as a long-term dignity savings account to be used to pay or reimburse a qualified beneficiary’s eligible expenses. An individual may be the account holder of multiple accounts, and an individual may jointly own the account with another person if such persons file a married filing combined income tax return. To be eligible for the tax deduction under section 143.1160, an account holder shall comply with the requirements of this section.

2. An account holder shall designate, no later than April fifteenth of the year following the tax year during which the account was established, a qualified beneficiary of the long-term dignity savings account. The account holder may designate himself or herself as the qualified beneficiary. The account holder may change the designated qualified beneficiary at any time, but no long-term dignity savings account shall have more than one qualified beneficiary at any time. No account holder shall have multiple accounts with the same qualified beneficiary, but an individual may be designated as the qualified beneficiary of multiple accounts.

3. Moneys may remain in a long-term dignity savings account for an unlimited duration without the interest or income being subject to recapture or penalty.

4. The account holder shall not use moneys in an account to pay expenses of administering the account, except that a service fee may be deducted from the account by a financial institution. The account holder shall be responsible for maintaining documentation for the long-term dignity savings account and for the qualified beneficiary’s eligible expenses.

191.1605. 1. For purposes of the tax benefit conferred under the long-term dignity savings account act, the moneys in a long-term dignity savings account may be:

- (1) Used for a qualified beneficiary’s eligible expenses;
- (2) Transferred to another newly created long-term dignity savings account; and
- (3) Used to pay a service fee that is deducted by the financial institution.

2. Moneys withdrawn from a long-term dignity savings account shall be subject to recapture in the tax year in which they are withdrawn if:

(1) At the time of the withdrawal, it has been less than a year since the first deposit in the long-term dignity savings account; or

(2) The moneys are used for any purpose other than those specified under subsection 1 of this section.

The recapture shall be an amount equal to the moneys withdrawn and shall be added to the Missouri

adjusted gross income of the account holder or, if the account holder is not living, the qualified beneficiary.

3. If any moneys are subject to recapture under subsection 2 of this section, the account holder shall pay to the department a penalty in the same tax year as the recapture. If the withdrawal was made ten or fewer years after the first deposit in the long-term dignity savings account, the penalty shall be equal to five percent of the amount subject to recapture, and, if the withdrawal was made more than ten years after the first deposit in the account, the penalty shall be equal to ten percent of the amount subject to recapture. These penalties shall not apply if the withdrawn moneys are from a long-term dignity savings account for which the qualified beneficiary died, and the account holder does not designate a new qualified beneficiary during the same tax year.

4. If the account holder dies or, if the long-term dignity account is jointly owned, the account holders die and the account does not have a surviving transfer-on-death beneficiary, then all of the moneys in the account that were used for a tax deduction under section 143.1160 shall be subject to recapture in the tax year of the death or deaths, but no penalty shall be due to the department.

191.1606. 1. The department shall establish forms for an account holder to annually report information about a long-term dignity savings account including, but not limited to, how the moneys withdrawn from the fund are used, and shall identify any supporting documentation that is required to be maintained. To be eligible for the tax deduction under section 143.1160, an account holder shall annually file with the account holder's state income tax return all forms required by the department under this section, the 1099 form for the account issued by the financial institution, and any other supporting documentation the department requires.

2. The department may promulgate rules and regulations necessary to administer the provisions of sections 191.1601 to 191.1607. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

191.1607. 1. No financial institution shall be required to:

(1) Designate an account as a long-term dignity savings account or designate the beneficiaries of an account in the financial institution's account contracts or systems or in any other way;

(2) Track the use of moneys withdrawn from a long-term dignity savings account; or

(3) Report any information to the department or any other governmental agency that is not otherwise required by law.

2. No financial institution shall be responsible or liable for:

(1) Determining or ensuring that an account holder is eligible for a tax deduction under section 143.1160;

(2) Determining or ensuring that moneys in the account are used for eligible expenses; or

(3) Reporting or remitting taxes or penalties related to use of moneys in a long-term dignity

savings account.

3. In implementing sections 143.1160 and 191.1601 to 191.1607, the department shall not establish any administrative, reporting, or other requirements on financial institutions that are outside the scope of normal account procedures.”; and

Further amend the title and enacting clause accordingly.

Senator Cierpiot moved that the above amendment be adopted, which motion prevailed.

Senator May offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24 of said page, by inserting immediately after all of said line the following:

“Section 1. The month of August shall be known as “Minority Organ Donor Awareness Month”.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator May offered **SA 1 to SA 5**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5**

Amend Senate Amendment No. 5 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, Line 5, by inserting after “Month.” the following: **“The citizens of this state are encouraged to observe the month with appropriate events and activities to raise awareness of organ donation by all ethnic groups and the need for organ donors.”.**

Senator May moved that the above amendment be adopted, which motion prevailed.

Senator Hoskins offered **SA 2 to SA 5**, which was read:

**SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 5**

Amend Senate Amendment No. 5 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, Line 5, by inserting after “Month.” the following:

“Section 2. The month of August shall be known as “Organ Donor Awareness Month”. The citizens of this state are encouraged to observe the month with appropriate events and activities to raise awareness of organ donation and the need for for organ donors.”.

Senator Hoskins moved that the above amendment be adopted, which motion failed.

Senator May moved that **SA 5**, as amended, be adopted, which motion prevailed.

Senator Schupp offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 2, Section 9.182, Line 18, by inserting immediately after all of said line the following:

“9.300. The twenty-second day of each month shall be designated as “Buddy Check 22 Day” in the state of Missouri. Citizens of this state are encouraged to check in on veterans on the twenty-second day of each month and participate in appropriate events and activities that raise awareness of the problem of suicide facing military personnel.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator White offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, In the Title, Line 9 of the title, by striking “a certain section” and inserting in lieu thereof the following: “certain sections”; and

Further amend said bill, page 2, section 9.182, line 18 of said page, by inserting immediately after said line the following:

“44.045. 1. Subject to approval by the state emergency management agency during an emergency declared by the governor, any health care provider licensed, registered, or certified in this state or any state who agrees to be so deployed as provided in this section may be deployed to provide care as necessitated by the emergency, including care necessitated by mutual aid agreements between political subdivisions and other public and private entities under section 44.090. During an emergency declared by the governor, health care providers deployed by the governor or any state agency shall not be liable for any civil damages or administrative sanctions for any failure, in the delivery of health care necessitated by the emergency during deployment, to exercise the skill and learning of an ordinarily careful health care provider in similar circumstances, but shall be liable for damages due to willful and wanton acts or omissions in rendering such care.

2. In a declared state of emergency, the department of health and senior services and the division of professional registration within the department of commerce and insurance may release otherwise confidential contact and licensure, registration, or certification information relating to health care professionals to state, local, and private agencies to facilitate deployment.

3. (1) The limitations on liability for civil damages provided in subsection 1 of this section shall apply to all health care providers whether or not under an official deployment if such health care is rendered in connection with a COVID-19 pandemic. Such limitations on liability for civil damages shall only apply to acts or omissions that occur during the period of time in which the governor has declared a state of emergency due to COVID-19. The limitations on liability in this subsection shall not extend to medical treatments or procedures, facility operations, or other services performed that were not related to COVID-19.

(2) For purposes of this subsection, “COVID-19” means the severe acute respiratory syndrome coronavirus 2.

(3) For the purposes of this subsection, “health care provider” shall include:

(a) Any physician, hospital, health maintenance organization, ambulatory surgical center, long-term care facility including those licensed under chapter 198, dentist, registered or licensed practical nurse, optometrist, podiatrist, pharmacist, chiropractor, professional physical therapist, psychologist, physician-in-training, and any other person or entity that provides health care services under the authority of a license or certificate, and the employer or agent of such person or entity;

(b) Any individual, health care system, or other entity that provides, refers, coordinates, consults upon, or arranges for the delivery of health care services; and

(c) Any individual permitted to provide health care services in the state due to a declared public health emergency.”; and

Further amend said bill, page 82, section B, line 8 of said page, by inserting immediately after said line the following:

“Section C. Because of the COVID-19 pandemic, the repeal and reenactment of section 44.045 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 44.045 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator White moved that the above amendment be adopted.

Senator Sifton offered **SSA 1 to SA 7:**

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 7**

Amend Senate Amendment No. 7 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, In the Title, Line 6 of the title, by inserting after “RSMo,” the following: “and section 407.025 as truly agreed to and finally passed by the second regular session of the one hundredth general assembly in senate substitute no. 2 for senate committee substitute for senate bill no. 591”; and

Further amend said bill, Page 2, Section 9.182, Line 18, by inserting after all of said line the following:

“44.045. 1. Subject to approval by the state emergency management agency during an emergency declared by the governor, any health care provider licensed, registered, or certified in this state or any state who agrees to be so deployed as provided in this section may be deployed to provide care as necessitated by the emergency, including care necessitated by mutual aid agreements between political subdivisions and other public and private entities under section 44.090. During an emergency declared by the governor, health care providers deployed by the governor or any state agency shall not be liable for any civil damages or administrative sanctions for any failure, in the delivery of health care necessitated by the emergency during deployment, to exercise the skill and learning of an ordinarily careful health care provider in similar circumstances, but shall be liable for damages due to willful and wanton acts or omissions in rendering such care.

2. In a declared state of emergency, the department of health and senior services and the division of professional registration within the department of commerce and insurance may release otherwise

confidential contact and licensure, registration, or certification information relating to health care professionals to state, local, and private agencies to facilitate deployment.

3. (1) The limitations on liability for civil damages provided in subsection 1 of this section shall apply to all health care providers whether or not under an official deployment if such health care is rendered in connection with a COVID-19 pandemic. Such limitations on liability for civil damages shall only apply to acts or omissions that occur during the period of time in which the governor has declared a state of emergency due to COVID-19. The limitations on liability in this subsection shall not extend to medical treatments or procedures, facility operations, or other services performed that were not related to COVID-19.

(2) For purposes of this subsection, “COVID-19” means the severe acute respiratory syndrome coronavirus 2.

(3) For the purposes of this subsection, “health care provider” shall include:

(a) Any physician, hospital, health maintenance organization, ambulatory surgical center, long-term care facility including those licensed under chapter 198, dentist, registered or licensed practical nurse, optometrist, podiatrist, pharmacist, chiropractor, professional physical therapist, psychologist, physician-in-training, and any other person or entity that provides health care services under the authority of a license or certificate, and the employer or agent of such person or entity;

(b) Any individual, health care system, or other entity that provides, refers, coordinates, consults upon, or arranges for the delivery of health care services; and

(c) Any individual permitted to provide health care services in the state due to a declared public health emergency.”; and

Further amend said bill, page 70, section 376.1578, line 18 of said page, by inserting immediately after said line the following:

“407.025. 1. **(1)** Any person who purchases or leases merchandise primarily for personal, family or household purposes and thereby suffers an ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of a method, act or practice declared unlawful by section 407.020, may bring a private civil action in either the circuit court of the county in which the seller or lessor resides or in which the transaction complained of took place, to recover actual damages.

(2) A person seeking to recover damages shall establish:

(a) That the person acted as a reasonable consumer would in light of all circumstances; and

(b) Individual damages with sufficiently definitive and objective evidence to allow the loss to be calculated with a reasonable degree of certainty.

A court may dismiss a claim as a matter of law where the claim fails to show a likelihood that the method, act, or practice alleged to be unlawful would mislead a reasonable consumer.

2. The court may, in its discretion[,]:

(1) Award punitive damages [and may];

(2) Award to the prevailing party attorney’s fees, based on the amount of time reasonably expended[,]; and [may]

(3) Provide such equitable relief as it deems necessary or proper to protect the prevailing party from the methods, acts, or practices declared unlawful by section 407.020.

3. No action may be brought under this section to recover damages for personal injury or death in which a claim can be made under chapter 538.

4. A cause of action under this section accrues on the date of purchase or lease described in subsection 1 of this section or upon receipt of notice of a method, act, or practice declared unlawful by section 407.020.

[2.] **5.** Persons entitled to bring an action pursuant to subsection 1 of this section may, if the unlawful method, act or practice has caused similar injury to numerous other persons, institute an action as representative or representatives of a class against one or more defendants as representatives of a class, and the petition shall allege such facts as will show that these persons or the named defendants specifically named and served with process have been fairly chosen and adequately and fairly represent the whole class, to recover damages as provided for in subsection 1 of this section. The plaintiff shall be required to prove such allegations, unless all of the members of the class have entered their appearance, and it shall not be sufficient to prove such facts by the admission or admissions of the defendants who have entered their appearance. **The class representative or representatives shall establish:**

(1) That the representative or representatives acted as a reasonable consumer would in light of all circumstances; and

(2) Individual damages with sufficiently definitive and objective evidence to allow the loss to be calculated with a reasonable degree of certainty.

All other members of the class shall establish individual damages in a manner determined by the court. In any action brought pursuant to this section, the court may in its discretion order, in addition to damages, injunction or other equitable relief and reasonable attorney's fees. **Attorney's fees, if awarded, shall bear a reasonable relationship to the amount of the judgment. When the judgment grants equitable relief, the attorney's fees shall be based on the amount of time reasonably expended.**

[3.] **6.** An action may be maintained as a class action in a manner consistent with Rule 23 of the Federal Rules of Civil Procedure and Missouri rule of civil procedure 52.08 to the extent such state rule is not inconsistent with the federal rule if:

(1) The class is so numerous that joinder of all members is impracticable;

(2) There are questions of law or fact common to the class;

(3) The claims or defenses of the representative parties are typical of the claims or defenses of the class; and

(4) The representative parties will fairly and adequately protect the interests of the class; and, in addition

(5) The prosecution of separate action by or against individual members of the class would create a risk of:

(a) Inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible standards of conduct for the party opposing the class; or

(b) Adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or

impede their ability to protect their interests; or

(6) The party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole; or

(7) The court finds that the questions of law or fact common to the members of the class predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy. The matters pertinent to the findings include:

(a) The interest of members of the class in individually controlling the prosecution or defense of separate actions;

(b) The extent and nature of any litigation concerning the controversy already commenced by or against members of the class;

(c) The desirability or undesirability of concentrating the litigation of the claims in the particular forum;

(d) The difficulties likely to be encountered in the management of a class action.

[4.] 7. (1) As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it is to be so maintained. An order pursuant to this subdivision may be conditional, and may be altered or amended before the decision on the merits.

(2) In any class action maintained pursuant to subdivision (7) of subsection [3] 6 of this section, the court shall direct to the members of the class the best notice practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall advise each member that:

(a) The court will exclude such member from the class if such member so requests by a specified date;

(b) The judgment, whether favorable or not, will include all members who do not request exclusion; and

(c) Any member who does request exclusion may, if such member desires, enter an appearance through such member's counsel.

(3) The judgment in an action maintained as a class action pursuant to subdivision (5) of subsection [3] 6 of this section or subdivision (6) of subsection [3] 6 of this section, whether or not favorable to the class, shall include and describe those whom the court finds to be members of the class. The judgment in an action maintained as a class action pursuant to subdivision (7) of subsection [3] 6 of this section, whether or not favorable to the class, shall include and specify or describe those to whom the notice provided in subdivision (2) of this subsection was directed, and who have requested exclusion, and whom the court finds to be members of the class.

(4) When appropriate an action may be brought or maintained as a class action with respect to particular issues, or a class may be divided into subclasses and each subclass treated as a class, and the provisions of this section shall then be construed and applied accordingly.

[5.] 8. In the conduct of actions to which this section applies, the court may make appropriate orders:

(1) Determining the course of proceedings or prescribing measures to prevent undue repetition or complication in the presentation of evidence or argument;

(2) Requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in such manner as the court may direct to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action;

(3) Imposing conditions on the representative parties or on intervenors;

(4) Requiring that the pleadings be amended to eliminate therefrom allegations as to representation of absent persons, and that the action proceed accordingly;

(5) Dealing with similar procedural matters.

[6.] **9.** A class action shall not be dismissed or compromised without the approval of the court, and notice of the proposed dismissal or compromise shall be given to all members of the class in such manner as the court directs.

[7.] **10.** Upon commencement of any action brought pursuant to subsection 1 of this section, the plaintiff or plaintiffs shall inform the clerk of the court in which such action is brought, on forms to be provided by such clerk, that the action is brought pursuant to this section. The clerk of the court shall forthwith inform the attorney general of the commencement of such action, together with a copy of the complaint or other initial pleading, and, upon entry of any judgment or decree in the action, the clerk shall mail a copy of such judgment or decree to the attorney general.

[8.] **11.** Any permanent injunction, judgment or order of the court made pursuant to section 407.100 shall be prima facie evidence in an action brought pursuant to this section that the respondent used or employed a method, act or practice declared unlawful by section 407.020.

[407.025. 1. **(1)** Any person who purchases or leases merchandise primarily for personal, family or household purposes and thereby suffers an ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of a method, act or practice declared unlawful by section 407.020, may bring a private civil action in either the circuit court of the county in which the seller or lessor resides or in which the transaction complained of took place, to recover actual damages.

(2) A person seeking to recover damages shall establish:

(a) That the person acted as a reasonable consumer would in light of all circumstances;

(b) That the method, act, or practice declared unlawful by section 407.020 would cause a reasonable person to enter into the transaction that resulted in damages; and

(c) Individual damages with sufficiently definitive and objective evidence to allow the loss to be calculated with a reasonable degree of certainty.

A court may dismiss a claim as a matter of law where the claim fails to show a likelihood that the method, act, or practice alleged to be unlawful would mislead a reasonable consumer.

2. The court may, in its discretion[,];

(1) Award punitive damages [and may];

(2) Award to the prevailing party attorney's fees, based on the amount of time reasonably expended[,]; and [may]

(3) Provide such equitable relief as it deems necessary or proper **to protect the prevailing party from the methods, acts, or practices declared unlawful by section 407.020.**

3. No action may be brought under this section to recover damages for personal injury or death in which a claim can be made under chapter 538.

4. A cause of action under this section accrues on the date of purchase or lease described in subsection 1 of this section or upon receipt of notice of a method, act, or practice declared unlawful by section 407.020.

[2.] **5.** Persons entitled to bring an action pursuant to subsection 1 of this section may, if the unlawful method, act or practice has caused similar injury to numerous other persons, institute an action as representative or representatives of a class against one or more defendants as representatives of a class, and the petition shall allege such facts as will show that these persons or the named defendants specifically named and served with process have been fairly chosen and adequately and fairly represent the whole class, to recover damages as provided for in subsection 1 of this section. The plaintiff shall be required to prove such allegations, unless all of the members of the class have entered their appearance, and it shall not be sufficient to prove such facts by the admission or admissions of the defendants who have entered their appearance. **The class representative or representatives shall establish:**

(1) That the representative or representatives acted as a reasonable consumer would in light of all circumstances;

(2) That the method, act, or practice declared unlawful by section 407.020 would cause a reasonable person to enter into the transaction that resulted in damages; and

(3) Individual damages with sufficiently definitive and objective evidence to allow the loss to be calculated with a reasonable degree of certainty.

All other members of the class shall establish individual damages in a manner determined by the court. In any action brought pursuant to this section, the court may in its discretion order, in addition to damages, injunction or other equitable relief and reasonable attorney's fees. **Attorney's fees, if awarded, shall bear a reasonable relationship to the amount of the judgment. When the judgment grants equitable relief, the attorney's fees shall be based on the amount of time reasonably expended.**

[3.] **6.** An action may be maintained as a class action in a manner consistent with Rule 23 of the Federal Rules of Civil Procedure and Missouri rule of civil procedure 52.08 to the extent such state rule is not inconsistent with the federal rule if:

(1) The class is so numerous that joinder of all members is impracticable;

(2) There are questions of law or fact common to the class;

(3) The claims or defenses of the representative parties are typical of the claims or defenses of the class; and

(4) The representative parties will fairly and adequately protect the interests of the class; and, in addition

(5) The prosecution of separate action by or against individual members of the class would create a risk of:

(a) Inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible standards of conduct for the party opposing the class; or

(b) Adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests; or

(6) The party opposing the class has acted or refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the class as a whole; or

(7) The court finds that the questions of law or fact common to the members of the class predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy. The matters pertinent to the findings include:

(a) The interest of members of the class in individually controlling the prosecution or defense of separate actions;

(b) The extent and nature of any litigation concerning the controversy already commenced by or against members of the class;

(c) The desirability or undesirability of concentrating the litigation of the claims in the particular forum;

(d) The difficulties likely to be encountered in the management of a class action.

[4.] 7. (1) As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it is to be so maintained. An order pursuant to this subdivision may be conditional, and may be altered or amended before the decision on the merits.

(2) In any class action maintained pursuant to subdivision (7) of subsection [3] 6 of this section, the court shall direct to the members of the class the best notice practicable under the circumstances, including individual notice to all members who can be identified through reasonable effort. The notice shall advise each member that:

(a) The court will exclude such member from the class if such member so requests by a specified date;

(b) The judgment, whether favorable or not, will include all members who do not request exclusion; and

(c) Any member who does request exclusion may, if such member desires, enter an appearance through such member's counsel.

(3) The judgment in an action maintained as a class action pursuant to subdivision (5) of subsection [3] 6 of this section or subdivision (6) of subsection [3] 6 of this section, whether or not favorable to the class, shall include and describe those whom the court finds to be members of the class. The judgment in an action maintained as a class action pursuant to subdivision (7) of subsection [3] 6 of this section, whether or not favorable to the class, shall include and specify or describe those to whom the notice provided in subdivision (2) of this subsection was directed, and who have requested exclusion, and whom the court finds to be members of the class.

(4) When appropriate an action may be brought or maintained as a class action with respect to particular issues, or a class may be divided into subclasses and each subclass treated as a class, and the provisions of this section shall then be construed and applied accordingly.

[5.] **8.** In the conduct of actions to which this section applies, the court may make appropriate orders:

(1) Determining the course of proceedings or prescribing measures to prevent undue repetition or complication in the presentation of evidence or argument;

(2) Requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in such manner as the court may direct to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action;

(3) Imposing conditions on the representative parties or on intervenors;

(4) Requiring that the pleadings be amended to eliminate therefrom allegations as to representation of absent persons, and that the action proceed accordingly;

(5) Dealing with similar procedural matters.

[6.] **9.** A class action shall not be dismissed or compromised without the approval of the court, and notice of the proposed dismissal or compromise shall be given to all members of the class in such manner as the court directs.

[7.] **10.** Upon commencement of any action brought pursuant to subsection 1 of this section, the plaintiff or plaintiffs shall inform the clerk of the court in which such action is brought, on forms to be provided by such clerk, that the action is brought pursuant to this section. The clerk of the court shall forthwith inform the attorney general of the commencement of such action, together with a copy of the complaint or other initial pleading, and, upon entry of any judgment or decree in the action, the clerk shall mail a copy of such judgment or decree to the attorney general.

[8.] **11.** Any permanent injunction, judgment or order of the court made pursuant to section 407.100 shall be prima facie evidence in an action brought pursuant to this section that the respondent used or employed a method, act or practice declared unlawful by section 407.020.]”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Emery offered **SA 1** to **SSA 1** for **SA 7**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 7

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 7 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 3, Section 44.045, Line 5, by inserting after the word “services” the following: “, **including behavioral and mental health services**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

At the request of Senator White, **SA 7** was withdrawn, rendering **SSA 1** for **SA 7** moot.

Senator Arthur offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 66, Section 376.393, Line 10 of said page, by inserting immediately after said line the following:

“376.782. 1. As used in this section, the term “low-dose mammography screening” means the X-ray examination of the breast using equipment specifically designed and dedicated for mammography, including the X-ray tube, filter, compression device, **detector**, films, and cassettes, with an average radiation exposure delivery of less than one rad mid-breast, with two views for each breast, and any fee charged by a radiologist or other physician for reading, interpreting or diagnosing based on such X-ray. As used in this section, the term “low-dose mammography screening” shall also include digital mammography and breast tomosynthesis. As used in this section, the term “breast tomosynthesis” shall mean a radiologic procedure that involves the acquisition of projection images over the stationary breast to produce cross-sectional digital three-dimensional images of the breast.

2. All individual and group health insurance policies providing coverage on an expense-incurred basis, individual and group service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law and all managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed on or after August 28, 1991, and providing coverage to any resident of this state shall provide benefits or coverage for low-dose mammography screening for any nonsymptomatic woman covered under such policy or contract which meets the minimum requirements of this section. Such benefits or coverage shall include at least the following:

(1) A baseline mammogram for women age thirty-five to thirty-nine, inclusive;

(2) A mammogram every year for women age forty and over;

(3) A mammogram **every year** for any woman[, upon the recommendation of a physician, where such woman, her mother or her sister has a prior history of breast cancer] **deemed by a treating physician to**

have an above-average risk for breast cancer in accordance with the American College of Radiology guidelines for breast cancer screening;

(4) Any additional or supplemental imaging, such as breast magnetic resonance imaging or ultrasound, deemed medically necessary by a treating physician for proper breast cancer screening or evaluation in accordance with applicable American College of Radiology guidelines; and

(5) Ultrasound or magnetic resonance imaging services, if determined by a treating physician to be medically necessary for the screening or evaluation of breast cancer for any woman deemed by the treating physician to have an above-average risk for breast cancer in accordance with American College of Radiology guidelines for breast cancer screening.

3. Coverage and benefits [related to mammography as] required [by] **under** this section shall be at least as favorable and subject to the same dollar limits, deductibles, and co-payments as other radiological examinations; provided, however, that on and after January 1, 2019, providers of [low-dose mammography screening] **health care services specified under this section** shall be reimbursed at rates accurately reflecting the resource costs specific to each modality, including any increased resource cost [of breast tomosynthesis].”; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 15, Section 191.775, Line 9, by inserting immediately after all of said line the following:

“191.940. 1. This section shall be known and may be cited as the “Postpartum Depression Care Act”.

2. As used in this section, the following terms shall mean:

(1) **“Ambulatory surgical center”, the same meaning as defined in section 197.200;**

(2) **“Health care provider”, a physician licensed under chapter 334, an assistant physician or physician assistant licensed under chapter 334 and in a collaborative practice arrangement with a collaborating physician, and an advanced practice registered nurse licensed under chapter 335 and in a collaborative practice arrangement with a collaborating physician;**

(3) **“Hospital”, the same meaning as defined in section 197.020;**

(4) **“Postnatal care”, an office visit to a licensed health care provider occurring after pregnancy for the infant or birth mother;**

(5) **“Questionnaire”, an assessment tool designed to detect the symptoms of postpartum depression or related mental health disorders, such as the Edinburgh Postnatal Depression Scale, the Postpartum Depression Screening Scale, the Beck Depression Inventory, the Patient Health Questionnaire, or other validated assessment methods.**

3. All hospitals and ambulatory surgical centers that provide labor and delivery services shall,

prior to discharge following pregnancy, provide pregnant women and, if possible, fathers and other family members with complete information about postpartum depression, including its symptoms, methods of treatment, and available resources. The department of health and senior services, in cooperation with the department of mental health, shall provide written information that hospitals and ambulatory surgical centers may use and shall include such information on its website.

4. It is the intent of the general assembly to encourage health care providers providing postnatal care to women and pediatric care to infants to invite women to complete a questionnaire designed to detect the symptoms of postpartum depression and to review the completed questionnaire in accordance with the formal opinions and recommendations of the American College of Obstetricians and Gynecologists to ensure the health, well-being, and safety of the woman and the infant.”; and

Further amend said bill, page 36, section 205.202, line 20, by inserting immediately after all of said line the following:

“208.151. 1. Medical assistance on behalf of needy persons shall be known as “MO HealthNet”. For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in treatment court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. Section 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) **(42 U.S.C. Sections 1396a to 1396b)**. The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. Section 1396a(a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. Section 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. Section 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain

eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) of this subsection shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy. **Pregnant women receiving mental health treatment for postpartum depression or related mental health conditions within sixty days of giving birth shall, subject to appropriations and any necessary federal approval, be eligible for MO HealthNet benefits for mental health services for the treatment of postpartum depression and related mental health conditions for up to twelve additional months.** Pregnant women receiving substance abuse treatment within sixty days of giving birth shall, subject to appropriations and any necessary federal approval, be eligible for MO HealthNet benefits for substance abuse treatment and mental health services for the treatment of substance abuse for no more than twelve additional months, as long as the woman remains adherent with treatment. The department of mental health and the department of social services shall seek any necessary waivers or state plan amendments from the Centers for Medicare and Medicaid Services and shall develop rules relating to treatment plan adherence. No later than fifteen months after receiving any necessary waiver, the department of mental health and the department of social services shall report to the house of representatives budget committee and the senate appropriations committee on the compliance with federal cost neutrality requirements;

(21) Case management services for pregnant women and young children at risk shall be a covered

service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of intellectual disability and developmental disability program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. Section 1396a(a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period

of presumptive eligibility in accordance with 42 U.S.C. Section 1396r-1;

(26) Persons who are in foster care under the responsibility of the state of Missouri on the date such persons attained the age of eighteen years, or at any time during the thirty-day period preceding their eighteenth birthday, or persons who received foster care for at least six months in another state, are residing in Missouri, and are at least eighteen years of age, without regard to income or assets, if such persons:

- (a) Are under twenty-six years of age;
- (b) Are not eligible for coverage under another mandatory coverage group; and
- (c) Were covered by Medicaid while they were in foster care.

2. Rules and regulations to implement this section shall be promulgated in accordance with chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. Section 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. Section 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. Section 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. Section 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C.

Section 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. Section 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955. A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section [1396a(a)(10)(A)(I)] **1396a(a)(10)(A)(i).**”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 67, Section 376.945, Line 19 of said page, by inserting immediately after said line the following:

“376.1345. 1. As used in this section, unless the context clearly indicates otherwise, terms shall have the same meaning as ascribed to them in section 376.1350.

2. No health carrier, nor any entity acting on behalf of a health carrier, shall restrict methods of reimbursement to health care providers for health care services to a reimbursement method requiring the provider to pay a fee, discount the amount of their claim for reimbursement, or remit any other form of remuneration in order to redeem the amount of their claim for reimbursement.

3. If a health carrier initiates or changes the method used to reimburse a health care provider to a method of reimbursement that will require the health care provider to pay a fee, discount the amount of its claim for reimbursement, or remit any other form of remuneration to the health carrier or any entity acting on behalf of the health carrier in order to redeem the amount of its claim for reimbursement, the health carrier or an entity acting on its behalf shall:

(1) Notify such health care provider of the fee, discount, or other remuneration required to receive reimbursement through the new or different reimbursement method; and

(2) In such notice, provide clear instructions to the health care provider as to how to select an alternative payment method, and upon request such alternative payment method shall be used to reimburse the provider until the provider requests otherwise.

4. A health carrier shall allow the provider to select to be reimbursed by an electronic funds transfer through the Automated Clearing House Network as required pursuant to 45 C.F.R. Sections 162.925, 162.1601, and 162.1602, and if the provider makes such selection, the health carrier shall use such reimbursement method to reimburse the provider until the provider requests otherwise.

5. An amount a health carrier claims was overpaid to a provider may only be collected, withheld,

or recouped from the provider, or third party that submitted the provider's claim under the third party's provider identification number, to whom the overpaid amount was originally paid. The notice of withholding or recoupment by a health carrier shall also inform the provider or third party of the health care service, date of service, and patient for which the recoupment is being made.

6. Violation of this section shall be deemed an unfair trade practice under sections 375.930 to 375.948.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Eigel offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 2, Section 9.182, Line 18 of said page, by inserting immediately after said line the following:

“143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$315 plus 6% of excess over \$9,000

2. (1) Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. No more than five reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half percent, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

3. (1) In addition to the rate reductions under subsection 2 of this section, beginning with the 2019 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by four-tenths of one percent. Such reduction in the rate of tax shall take effect on January first of the 2019 calendar year.

(2) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

4. (1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the 2022 calendar year, the top rate of tax under subsection 1 of this section may be reduced by fifteen hundredths of one percent. Such reduction in the rate of tax shall take effect on January first of a calendar year.

(2) A reduction in the rate of tax pursuant to this subsection shall only occur if one or more institutions is subject to the tax imposed on the endowments of institutions of higher education pursuant to section 146.200.

(3) The modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

5. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.

[5.] 6. As used in this section, the following terms mean:

(1) “CPI”, the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;

(2) “CPI for the preceding calendar year”, the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;

(3) “Net general revenue collected”, all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;

(4) “Percent increase in inflation”, the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.

146.200. 1. As used in this section, the following terms shall mean:

(1) “Endowment”, a permanent fund held by an institution of higher education that:

(a) Consists of property, cash, cash equivalents, stocks, bonds, or any other marketable security;

(b) Is used for purposes indicated by donors to such fund or for other purposes related to the mission of the institution of higher education; and

(c) Attempts to maintain and grow the principal of such fund, while annually disbursing all or part of investment earnings generated by the fund;

(2) “Qualifying institution of higher education”, an institution of higher education that:

(a) Is affiliated with, or provides medical faculty to, any abortion facility, as such term is defined in section 188.015;

(b) Offers specific medical fellowships that offer training in performing or inducing abortions;
or

(c) Supports in any manner any abortion facility where abortions are performed or induced when not necessary to save the life of the mother.

2. For all tax years beginning on or after January 1, 2022, a tax is hereby imposed for every taxable year on the endowment of a qualifying institution of higher education at a rate of one and nine-tenths percent of the aggregate fair market value of the assets of such endowment. Any institution that becomes a qualifying institution of higher education on or after January 1, 2022, shall remain subject to the tax imposed pursuant to this section regardless of whether such institution no longer meets the definition of qualifying institution of higher education as defined pursuant to this section.

3. Revenues generated by the tax under this section shall be deposited in the general revenue fund.

4. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after

August 28, 2020, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

Senator Arthur raised the point of order that **SA 11** is out of order in that it goes beyond the original scope of the underlying bill. The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Nasheed offered **SA 12**, which was read:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24, by inserting after all of said line the following:

“Section 1. The month of September every year shall be designated as “Infant and Maternal Mortality Awareness Month”. Citizens of this state and health care professionals are encouraged to promote and engage in appropriate activities that educate the public about the importance of appropriate health care for women and their new babies, from pregnancy through the vulnerable first post-partum year.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Koenig offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 58, Section 338.260, Line 5 of said page, by inserting after all of said line the following:

“345.050. 1. To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person’s good moral and ethical character, current competence and shall:

(1) Hold a master’s or a doctoral degree from a program **that was awarded “accreditation candidate” status or is accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;**

(2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board; and

(3) Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

2. To be eligible for licensure by the board without examination, each applicant shall make application on forms prescribed by the board, submit the application fee and shall be of good moral and ethical character, submit an activity statement and meet one of the following requirements:

(1) The board shall issue a license to any speech-language pathologist or audiologist who is licensed in another country and who has had no violations, suspension or revocations of a license to practice speech-language pathology or audiology in any jurisdiction; provided that, such person is licensed in a country whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure; or

(2) Hold the certificate of clinical competence issued by the American Speech-Language-Hearing Association in the area in which licensure is sought.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator O’Laughlin offered **SA 14**:

SENATE AMENDMENT NO. 14

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 53, Section 338.215, Line 9, by striking the following: “hospital.”.

Senator O’Laughlin moved that the above amendment be adopted, which motion prevailed.

Senator Hough offered **SA 15**, which was read:

SENATE AMENDMENT NO. 15

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24, by inserting after all of said line the following:

“Section 1. The seventh day of November each year shall be designated as “David Sater Awareness Day” in the state of Missouri. Citizens of this state are encouraged to observe the day with appropriate events and activities to raise awareness of David Sater and his many socks.”; and

Further amend the title and enacting clause accordingly.

Senator Hough moved that the above amendment be adopted.

At the request of Senator Hough, **SA 15** was withdrawn.

Senator Wieland offered **SA 16**, which was read:

SENATE AMENDMENT NO. 16

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Pages 58-62, Section 376.383, by striking all of said section from the bill; and

Further amend said bill, pages 67-70, section 376.1578, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Wieland moved that the above amendment be adopted, which motion failed.

Senator Wieland offered **SA 17**:

SENATE AMENDMENT NO. 17

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 66, Section 376.393, Line 10 of said page, by inserting immediately after said line the

following:

“376.690. 1. As used in this section, the following terms shall mean:

(1) [”Emergency medical condition”, the same meaning given to such term in section 376.1350;

(2)] “Facility”, the same meaning given to such term in section 376.1350;

[(3)] (2) “Health care professional”, the same meaning given to such term in section 376.1350;

[(4)] (3) “Health carrier”, the same meaning given to such term in section 376.1350;

[(5)] (4) “Unanticipated out-of-network care”, health care services received by a patient in an in-network facility from an out-of-network health care professional from the time the patient presents with [an emergency medical condition] **a health condition, illness, or disease** until the time the patient is discharged.

2. (1) Health care professionals shall send any claim for charges incurred for unanticipated out-of-network care to the patient’s health carrier within one hundred eighty days of the delivery of the unanticipated out-of-network care on a U.S. Centers of Medicare and Medicaid Services Form 1500, or its successor form, or electronically using the 837 HIPAA format, or its successor.

(2) Within forty-five processing days, as defined in section 376.383, of receiving the health care professional’s claim, the health carrier shall offer to pay the health care professional a reasonable reimbursement for unanticipated out-of-network care based on the health care professional’s services. If the health care professional participates in one or more of the carrier’s commercial networks, the offer of reimbursement for unanticipated out-of-network care shall be the amount from the network which has the highest reimbursement.

(3) If the health care professional declines the health carrier’s initial offer of reimbursement, the health carrier and health care professional shall have sixty days from the date of the initial offer of reimbursement to negotiate in good faith to attempt to determine the reimbursement for the unanticipated out-of-network care.

(4) If the health carrier and health care professional do not agree to a reimbursement amount by the end of the sixty-day negotiation period, the dispute shall be resolved through an arbitration process as specified in subsection 4 of this section.

(5) To initiate arbitration proceedings, either the health carrier or health care professional must provide written notification to the director and the other party within one hundred twenty days of the end of the negotiation period, indicating their intent to arbitrate the matter and notifying the director of the billed amount and the date and amount of the final offer by each party. A claim for unanticipated out-of-network care may be resolved between the parties at any point prior to the commencement of the arbitration proceedings. Claims may be combined for purposes of arbitration, but only to the extent the claims represent similar circumstances and services provided by the same health care professional, and the parties attempted to resolve the dispute in accordance with subdivisions (3) to (5) of this subsection.

(6) No health care professional who sends a claim to a health carrier under subsection 2 of this section shall send a bill to the patient for any difference between the reimbursement rate as determined under this subsection and the health care professional’s billed charge.

3. (1) When unanticipated out-of-network care is provided, the health care professional who sends a

claim to a health carrier under subsection 2 of this section may bill a patient for no more than the cost-sharing requirements described under this section.

(2) Cost-sharing requirements shall be based on the reimbursement amount as determined under subsection 2 of this section.

(3) The patient's health carrier shall inform the health care professional of its enrollee's cost-sharing requirements within forty-five processing days of receiving a claim from the health care professional for services provided.

(4) The in-network deductible and out-of-pocket maximum cost-sharing requirements shall apply to the claim for the unanticipated out-of-network care.

4. The director shall ensure access to an external arbitration process when a health care professional and health carrier cannot agree to a reimbursement under subdivision (3) of subsection 2 of this section. In order to ensure access, when notified of a parties' intent to arbitrate, the director shall randomly select an arbitrator for each case from the department's approved list of arbitrators or entities that provide binding arbitration. The director shall specify the criteria for an approved arbitrator or entity by rule. The costs of arbitration shall be shared equally between and will be directly billed to the health care professional and health carrier. These costs will include, but are not limited to, reasonable time necessary for the arbitrator to review materials in preparation for the arbitration, travel expenses and reasonable time following the arbitration for drafting of the final decision.

5. At the conclusion of such arbitration process, the arbitrator shall issue a final decision, which shall be binding on all parties. The arbitrator shall provide a copy of the final decision to the director. The initial request for arbitration, all correspondence and documents received by the department and the final arbitration decision shall be considered a closed record under section 374.071. However, the director may release aggregated summary data regarding the arbitration process. The decision of the arbitrator shall not be considered an agency decision nor shall it be considered a contested case within the meaning of section 536.010.

6. The arbitrator shall determine a dollar amount due under subsection 2 of this section between one hundred twenty percent of the Medicare-allowed amount and the seventieth percentile of the usual and customary rate for the unanticipated out-of-network care, as determined by benchmarks from independent nonprofit organizations that are not affiliated with insurance carriers or provider organizations.

7. When determining a reasonable reimbursement rate, the arbitrator shall consider the following factors if the health care professional believes the payment offered for the unanticipated out-of-network care does not properly recognize:

(1) The health care professional's training, education, or experience;

(2) The nature of the service provided;

(3) The health care professional's usual charge for comparable services provided;

(4) The circumstances and complexity of the particular case, including the time and place the services were provided; and

(5) The average contracted rate for comparable services provided in the same geographic area.

8. The enrollee shall not be required to participate in the arbitration process. The health care professional

and health carrier shall execute a nondisclosure agreement prior to engaging in an arbitration under this section.

9. The department of commerce and insurance may promulgate rules and fees as necessary to implement the provisions of this section, including but not limited to procedural requirements for arbitration. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Wieland moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Nasheed, Rizzo, White and Williams.

SA 17 failed of adoption by the following vote:

YEAS—Senators

Arthur	Burlison	Koenig	May	Nasheed	Rizzo	Rowden
Schupp	Sifton	Walsh	Wieland	Williams—12		

NAYS—Senators

Bernskoetter	Cierpiot	Crawford	Cunningham	Eigel	Emery	Hegeman
Hoskins	Hough	Libla	O’Laughlin	Onder	Riddle	Sater
Schatz	Wallingford	White—17				

Absent—Senators

Brown	Luetkemeyer—2
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Absent with leave—Senators—None

Vacancies—3

Senator Rizzo offered **SA 18**:

SENATE AMENDMENT NO. 18

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 81, Section 610.100, Line 24, by inserting after all of said line the following:

“Section 1. Subject to appropriation, any Missouri resident whose health care provider recommends that he or she receive an active COVID-19 test shall receive such test and the results of the test at no cost. The department of health and senior services shall be authorized to utilize available federal funds to pay for the portion of the expense of such test and resulting analysis that is not covered by the resident’s health insurance provider.”; and

Further amend said bill, page 82, Section B, line 8, by inserting after all of said line the following:

“Section C. Because of the emergence of the novel coronavirus COVID-19 and its devastating impact

on Missouri residents, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Rizzo moved that the above amendment be adopted.

Senator Hegeman offered **SA 1 to SA 18**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 18

Amend Senate Amendment No. 18 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 1, Line 3, by inserting immediately after “1.” the following: **“1.”**; and further amend line 10 by inserting immediately after “provider” the following: **“, provided that such expenses do not exceed one hundred fifty dollars per test.**

2. A health insurance provider shall not reduce a Missouri resident’s health insurance coverage that is related to the testing for severe acute respiratory syndrome coronavirus 2 during a state of emergency declared by the governor. The provisions of this subsection shall not apply to any reduction in health insurance coverage that is a result of nonpayment of premiums”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Rizzo moved that **SA 18**, as amended, be adopted, which motion prevailed.

President Kehoe assumed the Chair.

Senator Walsh assumed the Chair.

Senator Wieland offered **SA 19**:

SENATE AMENDMENT NO. 19

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1682, Page 69, Section 376.1578, Line 22, by inserting after “carrier.” the following: **“No practitioner that has submitted an application in accordance with the provisions of this subsection shall send any claim to the patient for charges incurred for care of the patient during the credentialing period with the patient’s health carrier.”**; and further amend line 27, by striking all of said line and inserting in lieu thereof the following:

“time not to exceed:

(1) Sixty days if the reason for the absence of the credentialed practitioner is for any of the conditions described in 29 CFR 825.113, 29 CFR 825.115, or 29 CFR 825.120, or any amendments or successor regulations thereto; or

(2) Thirty days if the reason for the absence of the credentialed practitioner is not otherwise provided for under subdivision (1) of this subsection.

Any practitioner authorized to”.

Senator Wieland moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1682**, as amended, be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1682**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Schatz referred **SS** for **SCS** for **HCS** for **HB 1682** to the Committee on Fiscal Oversight.

REFERRALS

President Pro Tem Schatz referred **HCS** for **HB 1540**, with **SCS** to the Committee on Fiscal Oversight.

HOUSE BILLS ON THIRD READING

Senator Wallingford moved that **SS** for **SCS** for **HCS** for **HB 2120** be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 2120** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Wallingford	Walsh	White	Wieland—25			

NAYS—Senators

Arthur	Schupp	Sifton	Williams—4
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Absent—Senator Nasheed—1

Absent with leave—Senator Libla—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 551**, as amended. Representatives: Eggleston, Porter, Muntzel, Ellebracht, Carpenter.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS No. 2** for **HB 1693**, and has taken up and passed **CCS** for **SS No. 2** for **HB 1693**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 3** for **SJR 38**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 552**, entitled:

An Act to repeal sections 2.020, 2.110, 36.155, 105.470, 105.485, 115.277, 115.283, 115.306, 115.357, 115.427, 115.621, 115.631, 115.637, 115.642, 115.761, 116.030, 116.040, 116.050, 116.130, 116.160, 116.230, 116.270, 116.332, 116.334, 238.216, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof thirty-five new sections relating to elections, with penalty provisions and an emergency clause for certain sections.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2 and 3.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 552, Page 5, Line 23, by inserting after the phrase “**syndrome coronavirus 2.**” the following:

“3. Notwithstanding this section, sections 115.650 to 115.660, and other provisions of law to the contrary, no election authority shall prohibit the exercise of the right to vote in person on election day or the right to cast an absentee ballot in person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 552, Pages 12 to 18, Sections 115.277 and 115.283, Lines 1 - 38 and 1 - 154, by removing all of said sections and lines from the bill and inserting in lieu thereof the following:

“115.302. 1. As used in this section, the terms “absent uniformed services voter” and “overseas voter” shall be defined under 52 U.S.C. Section 20310. The term “mail-in-ballot” shall mean any ballot that can be cast by United States mail, other than an absentee ballot.

2. Application for a mail-in-ballot may be made by the applicant in person, or by United States mail, or on behalf of the applicant by his or her guardian or relative within the second degree of consanguinity or affinity.

3. Each application for a mail-in-ballot shall be made to the election authority of the jurisdiction in which the person is registered. Each application shall be in writing and shall state the applicant’s name, address at which he or she is registered, the address to which the ballot is to be mailed, and, in the case of absent uniformed services and overseas applicants, the electronic mail address if

electronic transmission is requested.

4. All applications for mail-in-ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed under section 115.281. No application for a mail-in-ballot received in the office of the election authority after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority.

5. Each application for a mail-in-ballot shall be signed by the applicant or, if the application is made by a guardian or relative under this section, then the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian, or relative is blind, unable to read or write the English language, or physically incapable of signing the application, he or she shall sign by mark that is witnessed by the signature of an election official or person of his or her choice. Any person who knowingly makes, delivers, or mails a fraudulent mail-in-ballot application shall be guilty of a class one election offense.

6. (1) Notwithstanding any other provision of law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the United States Armed Forces or members of their immediate family living with them may request a mail-in-ballot.

(2) If an election authority rejects an application or request, then the election authority shall provide each absent uniformed services voter and each overseas voter who submits a voter registration application or a mail-in-ballot request with the reasons for the rejection.

(3) Notwithstanding any other provision of law to the contrary, if a standard oath regarding material misstatements of fact is adopted for uniformed and overseas voters under the Help America Vote Act of 2002, then the election authority shall accept such oath for voter registration, mail-in-ballot, or other election-related materials.

(4) Not later than sixty days after the date of each regularly scheduled general election for federal office, each election authority which administered the election shall submit to the secretary of state, in a format prescribed by the secretary, a report on the combined number of mail-in ballots transmitted to, and returned by, absent uniformed services voters and overseas voters for the election. The secretary shall submit to the Election Assistance Commission a combined report of such information not later than ninety days after the date of each regularly scheduled general election for federal office in a format developed by the Commission under the Help America Vote Act of 2002. The secretary shall make the report available to the general public.

7. Except as provided under section 115.914, not later than the sixth Tuesday prior to each election, or within fourteen days after candidate names or questions are certified under section 115.125, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes. As soon as possible after a proper official calls a special state or county election, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.

8. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, voting address, and mailing address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has personally marked the voter's

ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the mail-in voter shall include a statement on the envelope identifying the person providing such assistance under penalties of perjury. Persons authorized to vote only for federal and statewide offices shall also state their former Missouri residence.

9. The statement for persons voting mail-in ballots who are registered voters shall be in substantially the following form:

State of Missouri

County (City) of _____

I, _____ (print name), a registered voter of _____ County (City of St. Louis, Kansas City), declare under the penalties of perjury that: I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

Signature of Voter

Signature of Person
Assisting Voter
(If applicable)

Subscribed and sworn to before me this

_____ day of _____, _____.

Signature of notary or other officer authorized
to administer oaths.

Mailing Addresses

(If different)

10. Upon receipt of a signed application for a mail-in ballot and if satisfied that the applicant is

entitled to vote by mail-in ballot, the election authority shall, within three working days after receiving the application, or if mail-in ballots are not available at the time the application is received, within five working days after they become available, deliver to the voter a mail-in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. Delivery shall be made by first class, registered, or certified mail at the discretion of the election authority, or in the case of a covered voter under section 115.902, the method of transmission prescribed under section 115.914. If the election authority is not satisfied that any applicant is entitled to vote by mail-in ballot, the authority shall not deliver a mail-in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by mail-in ballot. The applicant may file a complaint with the elections division of the secretary of state's office under section 115.219.

11. On the mailing and ballot envelopes for each covered voter, the election authority shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

12. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with a mail-in ballot.

13. Upon receiving a mail-in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting a mail-in ballot shall be subscribed and sworn to before the election official receiving the ballot, a notary public, or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting a voter who is not entitled to such assistance, any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail-in ballot was voted with unlawful assistance, the ballot shall be rejected.

14. Each mail-in ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter by United States mail; except that covered voters who are sending ballots from a location determined by the secretary of state to be inaccessible on election day, shall be allowed to return their mail-in ballots cast by use of facsimile transmission or under a program approved by the United States Department of Defense for the electronic transmission of election materials.

15. No election authority shall refuse to accept and process any otherwise valid marked mail-in ballot submitted in any manner by a covered voter solely on the basis of restrictions on envelope type.

16. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage-free mail for all ballots cast shall be paid by the secretary of state through state appropriations.

17. All proper votes on each mail-in ballot received by an election authority at or before the time fixed by law for the closing of the polls on election day shall be counted. Except as provided under section 115.920, no votes on any mail-in ballot received by an election authority after the time fixed by law for the closing of the polls on election day shall be counted.

18. If sufficient evidence is shown to an election authority that any mail-in voter has died prior to the opening of the polls on election day, the ballot of the deceased voter shall be rejected if it is still sealed in the ballot envelope. Any such rejected ballot, still sealed in its ballot envelope, shall be sealed with the application and any other papers connected therewith in an envelope marked “Rejected ballot of _____, a mail-in voter of _____ voting district”. The reason for rejection shall be noted on the envelope, which shall be kept by the election authority with the other ballots from the election until the ballots are destroyed according to law.

19. As each mail-in ballot is received by the election authority, the election authority shall indicate its receipt on the list.

20. If the statements on any mail-in ballot envelope have not been completed, the mail-in ballot in the envelope shall be rejected.

21. All mail-in ballot envelopes received by the election authority shall be kept together in a safe place and shall not be opened except as provided under this chapter.

22. Mail-in ballots shall be counted using the procedures set out in sections 115.297, 115.299, 115.300, and 115.303.

23. The false execution of a mail-in ballot application shall be a class one election offense. The attorney general or any prosecuting or circuit attorney shall have the authority to prosecute such offense either in the county of residence of the person or in the circuit court of Cole County.

24. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

25. This section is enacted notwithstanding any other provision of law including, but not limited to, sections 115.650 to 115.660.

26. The provisions of this section shall apply only to an election that occurs during the year 2020 to avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2.

27. The provisions of this section terminate and shall be repealed on December 31, 2020, and shall not apply to any election conducted after that date.”; and

Further amend said bill, Page 34, Section 115.642, Line 31, by inserting after all of said section and line the following:

“115.652. **1.** An election shall not be conducted under sections 115.650 to 115.660 unless:

(1) The officer or agency calling the election submits a written request that the election be conducted by mail. Such request shall be submitted not later than the date specified in section 115.125 for submission of the notice of election and sample ballot;

(2) The election authority responsible for conducting the election authorizes the use of mailed ballots for the election;

(3) The election is nonpartisan;

(4) The election is not one at which any candidate is elected, retained or recalled; and

(5) The election is an issue election at which all of the qualified voters of any one political subdivision are the only voters eligible to vote.

2. Notwithstanding the provisions of subsection 1 of this section or any other provision of law to the contrary, an election may be conducted by mail as authorized under section 115.302, during a state of emergency declared by the governor during the year 2020, to avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2.”; and

Further amend said bill, Page 48, Section 1, Lines 2 and 8, by deleting the phrase “115.277, 115.283,” on said lines; and

Further amend said bill and page, Section C, Lines 1 - 6, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

“Section C. Because immediate action is necessary to ensure citizens can safely exercise the right to vote and avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2, the enactment of section 115.302 and the repeal and reenactment of section 115.652 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 115.302 and the repeal and reenactment of section 115.652 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 552, Page 2, Section 36.155, Line 20, by inserting after all of said line the following:

“105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) “Governing body”, the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) “Political subdivision”, any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the

report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements herein above mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275.

9. Any political subdivision that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine of five hundred dollars per day.

10. The state auditor shall report any violation of subsection 9 of this section to the department of revenue. Upon notification from the state auditor's office that a political subdivision failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such political subdivision by certified mail that the statement has not been received. Such notice shall clearly set forth the following:

(1) The name of the political subdivision;

(2) That the political subdivision shall be subject to a fine of five hundred dollars per day if the political subdivision does not submit a copy of the annual financial statement to the state auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;

(3) That the fine will be enforced and collected as provided under subsection 11 of this section; and

(4) That the fine will begin accruing on the thirty-first day from the postmarked date stamped on the certified mail envelope and will continue to accrue until the state auditor's office receives a copy of the financial statement.

In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to the department of revenue within ten business days. Failure of the political subdivision to submit the required annual financial statement within such thirty-day period shall cause the fine to be collected as provided under subsection 11 of this section.

11. The department of revenue may collect the fine authorized under the provisions of subsection 9 of this section by offsetting any sales or use tax distributions due to the political subdivision. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

12. Any [transportation development district organized under sections 238.200 to 238.275 having] **political subdivision that has** gross revenues of less than five thousand dollars **or that has not levied or collected sales or use taxes** in the fiscal year for which the annual financial statement was not timely filed shall not be subject to the fine authorized in this section.

13. If a failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the failure shall not be subject to a fine authorized under this section if the statement is filed within thirty days of the discovery of the fraud or illegal conduct. If a fine is assessed and paid prior to the filing of the statement, the department of revenue shall refund the fine upon notification from the political subdivision.

14. If a political subdivision has an outstanding balance for fines or penalties at the time it files its first annual financial statement after January 1, 2021, the director of revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by ninety percent.

15. The director of revenue shall have the authority to make a one-time downward adjustment to any outstanding penalty imposed under this section on a political subdivision if the director determines the fine is uncollectable. The director of revenue may prescribe rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

16. If a political subdivision with an outstanding balance for fines or penalties:

(1) Fails to file an annual financial statement after August 28, 2020, and before January 1, 2021; or

(2) Files an annual financial statement after August 28, 2020, and before January 1, 2021, but fails to file any annual financial statement thereafter,

then the director of revenue shall initiate the process to disincorporate the political subdivision as prescribed by law.

17. If any resident of a political subdivision believes or knows that the political subdivision has failed to file the annual financial report required under subsection 2 of this section, the resident may file an affidavit with the director of revenue that attests to the alleged failure. The director of revenue shall evaluate the allegation and, if true, notify the political subdivision and any municipality or county encompassing the political subdivision by both certified mail and first-class mail that the political subdivision has ninety days to comply with subsection 2 of this section. If the political subdivision has not complied after ninety days, the director of revenue shall initiate the process to disincorporate the political subdivision as prescribed by law.

18. (1) The question of whether a political subdivision subject to possible disincorporation under subsection 16 or 17 of this section shall be disincorporated shall be submitted to the voters of the political subdivision. The election upon the question shall be held on the next general election day.

(2) No later than five o'clock p.m. on the tenth Tuesday prior to the election, the director of revenue shall notify the election authorities responsible for conducting the election according to the provisions of section 115.125 and the county governing body in which the political subdivision is located.

(3) The election authority shall give notice of the election for eight consecutive weeks prior to the election by publication in a newspaper of general circulation published in the political subdivision or, if there is no such newspaper in the political subdivision, in the newspaper in the county published nearest the political subdivision.

(4) Any costs of submitting the question shall be paid by the political subdivision.

(5) The question shall be submitted to the voters of such city, town, or village in substantially the following form:

The (city/town/village) of _____(has an outstanding balance for fines or penalties and) has failed to file an annual financial statement, as required by law. Shall the (city/town/village) of _____be disincorporated?

☐ **YES**

☐ **NO**

Upon the affirmative vote of a majority of the qualified voters voting on the question, the director of revenue shall file an action to disincorporate the political subdivision in the circuit court with jurisdiction over the political subdivision.

19. In an action to disincorporate a political subdivision, the circuit court shall order:

(1) The appointment of an administrative authority for the political subdivision, which may be another political subdivision, the state, a qualified private party, or other qualified entity;

(2) All financial and other institutions holding funds of the political subdivision, as identified by the director of revenue, to honor the directives of the administrative authority;

(3) The director of revenue or other party charged with distributing tax revenue to distribute the revenues and funds of the political subdivision to the administrative authority; and

(4) The disincorporation of the political subdivision and the effective date of the disincorporation, taking into consideration a reasonable transition period.

The administrative authority shall administer all revenues under the name of the political subdivision or its agents and administer all funds collected on behalf of the political subdivision. The administrative authority shall use the revenues and existing funds to pay all debts and obligations of the political subdivision other than the penalties accrued under this section. The circuit court shall have ongoing jurisdiction to enforce its orders and carry out the remedies under this subsection.

20. The attorney general shall have the authority to file an action in a court of competent jurisdiction against any political subdivision that fails to comply with this section in order to force the political subdivision into compliance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 552, Page 2, Section 2.110, Line 6, by inserting after all of said section and line the following:

“27.010. The attorney general for the state of Missouri shall be elected at each general election at which a governor and other state officers are elected, and his term shall begin at 12:00 noon on the second Monday in January next succeeding his election, and shall continue for four years, or until his successor is elected

and qualified. The attorney general shall [reside at the seat of government and] keep his office in the supreme court building, and receive an annual salary of sixty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005, payable out of the state treasury. The salary shall constitute the total compensation for all duties to be performed by him and there shall be no further payments made to or accepted by him for the performance of any duty now required of him under any existing law. The attorney general shall devote his full time to his office, and, except in the performance of his official duties, shall not engage in the practice of law.”; and

Further amend said bill, Page 2, Section 36.155, Line 20, by inserting after all of said section and line the following:

“51.050. No person shall be elected or appointed clerk of the county commission unless such person be a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the county for which the person is elected one year just prior to such person’s election; and every clerk shall after the election continue to reside within the county for which such person is clerk.

55.060. No person shall be elected or appointed county auditor of a county of the first class not having a charter form of government or of a county of the second class unless he **or she** is a citizen of the United States [above the age of twenty-one years], **twenty-one years of age or older**, and has resided within the state for one whole year and within the county for which he **or she** is elected or appointed for three months immediately preceding the election or his **or her** appointment. He **or she** shall also be a person familiar with the theory and practice of accounting by education, training, and experience and able to perform the duties imposed upon the county auditor by the provisions of this chapter. The county auditor shall, after his **or her** appointment or election, reside in the county for which he **or she** is auditor.

58.030. No person shall be elected or appointed to the office of coroner unless he **or she** be a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the county for which he **or she** is elected, six months next preceding the election.

60.010. 1. At the regular general election in the year 1948, and every four years thereafter, the voters of each county of this state in counties of the second, third, and fourth classification shall elect a registered land surveyor as county surveyor, who shall hold office for four years and until a successor is duly elected, commissioned and qualified. The person elected shall be commissioned by the governor.

2. No person shall be elected or appointed surveyor unless such person is a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, a registered land surveyor, and shall have resided within the state one whole year. An elected surveyor shall have resided within the county for which the person is elected six months immediately prior to election and shall after election continue to reside within the county for which the person is surveyor. An appointed surveyor need not reside within the county for which the person is surveyor.

3. Notwithstanding the provisions of subsection 1 of this section, or any other law to the contrary, the county commission of any county of the third or fourth classification may appoint a surveyor following the deadline for filing for the office of surveyor, if no qualified candidate files for the office in the general election in which the office would have been on the ballot, provided that the notice required by section 115.345 has been published in at least one newspaper of general circulation in the county. The appointed surveyor shall serve at the pleasure of the county commission, however, an appointed surveyor shall forfeit

said office once a qualified individual, who has been duly elected at a regularly scheduled general election where the office of surveyor is on the ballot and who has been commissioned by the governor, takes office. The county commission shall fix appropriate compensation, which need not be equal to that of an elected surveyor.

77.230. No person shall be mayor unless he be at least [thirty] **twenty-one** years of age, a citizen of the United States and a resident of such city at the time of and for two years next preceding his election. When two or more persons shall have an equal number of votes for the office of mayor, the matter shall be determined by the council.

79.080. No person shall be mayor unless he be at least [twenty-five] **twenty-one** years of age, a citizen of the United States and a resident of the city at the time of and for at least one year next preceding his election.

105.035. No person shall be appointed to an elected public office in the state of Missouri who is delinquent in the payment of state income tax, personal property tax, municipal tax, or real property tax on the person's place of residence. A candidate for such appointed public office shall provide the appointing authority thereof with a signed and notarized affidavit stating that all state income taxes and property taxes, both personal property and real property, have been paid or the fact that no taxes were owed for the two fiscal years immediately prior to the filing deadline for the requisite elective public office.

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing his **or her** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he **or she** seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, two hundred dollars if he or she is a candidate for statewide office or for United States senator, one hundred dollars if he or she is a candidate for representative in Congress, circuit judge or state senator, and fifty dollars if he or she is a candidate for state representative;

(2) To the treasurer of the county central committee, fifty dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting his **or her** declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a candidate may have the fee waived by filing a declaration of inability to pay and a petition with his **or her** declaration of candidacy. Each such declaration shall be in substantially the following form:

DECLARATION OF INABILITY TO PAY FILING FEE

I, _____, do hereby swear that I am financially unable to pay the fee of _____ (amount of fee) to file as a candidate for nomination to the office of _____ at the primary election to be held on the _____ day of _____, 20____.

Signature of candidate

Subscribed and sworn

to before me this

_____ day of
_____, 20_____.

Residence address

Signature of election

official or officer

authorized to

administer oaths

If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the election official who witnesses the candidate's declaration of candidacy. If his **or her** declaration of candidacy is to be filed by certified mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the notary or other officer who witnesses the candidate's declaration of candidacy. With his **or her** declaration of inability to pay, the candidate shall submit a petition endorsing his **or her** candidacy. Except for the number of signatures required, each such petition shall, insofar as practicable, be in the form provided in sections 115.321 and 115.325. If the person filing declaration of indigence is to be a candidate for statewide office, his **or her** petition shall be signed by the number of registered voters in the state equal to at least one-half of one percent of the total number of votes cast in the state for the office at the last election in which a candidate ran for the office. If the person filing a declaration of indigence is to be a candidate for any other office, the petition shall be signed by the number of registered voters in the district or political subdivision which is equal to at least one percent of the total number of votes cast for the office at the last election in which a candidate ran for the office. The candidate's declaration of inability to pay and the petition shall be filed at the same time and in the same manner as his **or her** declaration of candidacy is filed. The petition shall be checked and its sufficiency determined in the same manner as new party and independent candidate petitions.

4. No filing fee shall be required of any person who proposes to be an independent candidate, the candidate of a new party or a candidate for presidential elector.

5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall be printed on any official ballot until the required fee has been paid.”; and

Further amend said bill, Page 44, Section 116.334, Line 21, by inserting after all of said section and line the following:

“162.291. The voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in this state for one year next preceding their election or appointment, and who are [at least twenty-four years of age] **twenty-one years of age or older**.

190.050. 1. After the ambulance district has been declared organized, the declaring county commission,

except in counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, shall divide the district into six election districts as equal in population as possible, and shall by lot number the districts from one to six inclusive. The county commission shall cause an election to be held in the ambulance district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for one director from the ambulance election district in which the voter resides. The directors elected from districts one and four shall serve for a term of one year, the directors elected from districts two and five shall serve for a term of two years, and the directors from districts three and six shall serve for a term of three years; thereafter, the terms of all directors shall be three years. All directors shall serve the term to which they were elected or appointed, and until their successors are elected and qualified, except in cases of resignation or disqualification. The county commission shall reapportion the ambulance districts within sixty days after the population of the county is reported to the governor for each decennial census of the United States. Notwithstanding any other provision of law, if the number of candidates for the office of director is no greater than the number of directors to be elected, no election shall be held, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they have been elected.

2. In all counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, the voters shall vote for six directors elected at large from within the district for a term of three years. Those directors holding office in any district in such a county on August 13, 1976, shall continue to hold office until the expiration of their terms, and their successors shall be elected from the district at large for a term of three years. In any district formed in such counties after August 13, 1976, the governing body of the county shall cause an election to be held in that district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for six directors. The two candidates receiving the highest number of votes at such election shall be elected for a term of three years, the two candidates receiving the third and fourth highest number of votes shall be elected for a term of two years, the two candidates receiving the fifth and sixth highest number of votes shall be elected for a term of one year; thereafter, the term of all directors shall be three years.

3. A candidate for director of the ambulance district shall, at the time of filing, be a citizen of the United States, a qualified voter of the election district as provided in subsection 1 of this section, a resident of the district for two years next preceding the election, and shall be [at least twenty-four years of age] **twenty-one years of age or older**. In an established district which is located within the jurisdiction of more than one election authority, the candidate shall file his or her declaration of candidacy with the secretary of the board. In all other districts, a candidate shall file a declaration of candidacy with the county clerk of the county in which he or she resides. A candidate shall file a statement under oath that he or she possesses the required qualifications. No candidate's name shall be printed on any official ballot unless the candidate has filed a written declaration of candidacy pursuant to subsection 5 of section 115.127. If the time between the county commission's call for a special election and the date of the election is not sufficient to allow compliance with subsection 5 of section 115.127, the county commission shall, at the time it calls the special election, set the closing date for filing declarations of candidacy.

204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit court decree or amended decree of incorporation for a reorganized common sewer district, who shall reside within the

boundaries of the district. Each trustee shall be a voter of the district and shall have resided in said district for twelve months immediately prior to the trustee's election or appointment. A trustee shall be [at least twenty-five years of age] **twenty-one years of age or older** and shall not be delinquent in the payment of taxes at the time of the trustee's election or appointment. Regardless of whether or not the trustees are elected or appointed, in the event the district extends into any county bordering the county in which the greater portion of the district lies, the presiding commissioner or other chief executive officer of the adjoining county shall be an additional member of the board of trustees, or the governing body of such bordering county may appoint a citizen from such county to serve as an additional member of the board of trustees. Said additional trustee shall meet the qualifications set forth in this section for a trustee.

2. The trustees shall receive no compensation for their services but may be compensated for reasonable expenses normally incurred in the performance of their duties. The board of trustees may employ and fix the compensation of such staff as may be necessary to discharge the business and purposes of the district, including clerks, attorneys, administrative assistants, and any other necessary personnel. The board of trustees may employ and fix the duties and compensation of an administrator for the district. The administrator shall be the chief executive officer of the district subject to the supervision and direction of the board of trustees. The administrator of the district may, with the approval of the board of trustees, retain consulting engineers for the district under such terms and conditions as may be necessary to discharge the business and purposes of the district.

3. Except as provided in subsection 1 of this section, the term of office of a trustee shall be five years. The remaining trustees shall appoint a person qualified under this section to fill any vacancy on the board. The initial trustees appointed by the circuit court shall serve until the first Tuesday after the first Monday in June or until the first Tuesday after the first Monday in April, depending upon the resolution of the trustees. In the event that the trustees are elected, said elections shall be conducted by the appropriate election authority under chapter 115. Otherwise, trustees shall be appointed by the county commission in accordance with the qualifications set forth in subsection 1 of this section.

4. Notwithstanding any other provision of law, if there is only one candidate for the post of trustee, then no election shall be held, and the candidate shall assume the responsibilities of office at the same time and in the same manner as if elected. If there is no candidate for the post of trustee, then no election shall be held for that post and it shall be considered vacant, to be filled under the provisions of subsection 3 of this section.”; and

Further amend said bill, Page 47, Section 238.216, Line 114, by inserting after all of said section and line the following:

“247.060. 1. The management of the business and affairs of the district is hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his or her election. A member shall be [at least twenty-five years of age] **twenty-one years of age or older** and shall not be delinquent in the payment of taxes at the time of his **or her** election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

2. After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board.

3. The initial members of the board shall be appointed by the circuit court and one shall serve until the immediately following first Tuesday after the first Monday in April, two shall serve until the first Tuesday after the first Monday in April on the second year following their appointment and the remaining appointees shall serve until the first Tuesday after the first Monday in April on the third year following their appointment. On the expiration of such terms and on the expiration of any subsequent term, elections shall be held as otherwise provided by law, and such elections shall be held in April pursuant to section 247.180.

4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday after the first Monday in June until the first Tuesday in April of the third year following the year of their election. All directors elected thereafter shall serve from the first Tuesday in April until the first Tuesday in April of the third year following the year of their election.

5. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a member shall not be paid for attending more than four meetings in any calendar month. However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week. In addition, the president of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

6. In no event, however, shall a board member receive any attendance fees or additional compensation authorized in subsection 5 of this section until after such board member has completed a minimum of six hours training regarding the responsibilities of the board and its members concerning the basics of water treatment and distribution, budgeting and rates, water utility planning, the funding of capital improvements, the understanding of water utility financial statements, the Missouri sunshine law, and this chapter.

7. The circuit court of the county having jurisdiction over the district shall have jurisdiction over the members of the board of directors to suspend any member from exercising his or her office, whensoever it appears that he or she has abused his or her trust or become disqualified; to remove any member upon proof or conviction of gross misconduct or disqualification for his or her office; or to restrain and prevent any alienation of property of the district by members, in cases where it is threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of the district.

8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon petition, filed by or at the instance of any member of the board, or at the instance of any ten voters residing in the district who join in the petition, verified by the affidavit of at least one of them. The petition shall be heard in a summary manner after ten days' notice in writing to the member or officer complained of. An appeal shall lie from the judgment of the circuit court as in other causes, and shall be speedily determined; but an appeal does not operate under any condition as a supersedeas of a judgment of suspension or removal from office.

249.140. 1. Any candidate for the office of trustee in the district shall be an American citizen [over the

age of twenty-five years] **twenty-one years of age or older** and shall have been a resident within the county within which the district is situated for more than four whole years next before the date of the election at which he is a candidate and shall be a voter of the district. Any person desiring to become a candidate for the office of trustee at the election held on the original incorporation of the district, as provided in section 249.070, shall file with the county commission or with the election commissioners a statement, under oath, that he possesses the qualifications required by sections 249.010 to 249.420 for trustee and shall pay a filing fee of five dollars, whereupon his **or her** name shall be placed on the ballot as candidate for trustee. Any person desiring to become a candidate for the office of trustee in any subsequent election shall file such statement, under oath, with and pay such filing fee to the secretary of the board of trustees, whereupon his **or her** name shall be placed on the ballot as candidate for the office of trustee.

2. At such initial election the candidate who receives the highest number of votes shall be elected for a six-year term as trustee; the candidate who receives the second highest number of votes shall be elected for a four-year term as trustee; the candidate who receives the third highest number of votes shall be elected for a two-year term as trustee.

3. After his **or her** election each trustee shall take and subscribe [his] **an** oath or affirmation before the clerk of the circuit court to the effect that he **or she** is qualified to act as trustee under the provisions of sections 249.010 to 249.420 and that he **or she** will perform his **or her** duties as such trustee to the best of his **or her** ability and impartially in the interest of the whole district.

321.130. A person, to be qualified to serve as a director, shall be a resident and voter of the district for at least one year before the election or appointment and [be over the age of twenty-four years] **shall be twenty-one years of age or older**. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a filing fee equal to the amount of a candidate for county office as set forth under section 115.357, and filing a statement under oath that such person possesses the required qualifications. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director."; and

Further amend said bill, Page 48, Section 417.018, Line 4, by inserting after all of said section and line the following:

"483.010. No person shall be appointed or elected clerk of any court, unless he [be] **or she is** a citizen of the United States, [above the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the geographical area over which the court has jurisdiction or, in the case of circuit clerks, within the county from which elected, three months before the appointment or election; and every clerk shall, after his **or her** appointment or election, reside in the geographical area over which the court he **or she** serves has jurisdiction or, in the case of circuit clerks, in the county for which he **or she** is clerk."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SB 782**, entitled:

An Act to repeal sections 32.056, 32.300, 68.075, 136.055, 137.115, 143.441, 144.070, 144.805, 227.600, 301.010, 301.030, 301.032, 301.451, 301.560, 301.564, 301.3139, 301.3174, 302.170, 302.171, 302.181, 302.188, 304.170, 304.172, 304.180, 306.127, and 407.1329, RSMo, and to enact in lieu thereof thirty-eight new sections relating to transportation, with delayed effective dates for certain sections.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, as amended, House Amendment Nos. 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended; and House Amendment Nos. 7 and 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 782, Page 5, Section 68.075, Line 57, by inserting after all of said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2020] **2026**. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year. There shall be no tax credits authorized under sections 135.300 to 135.311 unless an appropriation is made for such tax credits.

137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) “Eligible expenses”, expenses incurred in this state to manufacture, maintain, or improve a freight line company’s qualified rolling stock;

(b) “Qualified rolling stock”, any freight, stock, refrigerator, or other railcars subject to the tax levied

under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

5. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall expire on August 28, [2020] **2027**; and

(2) This section shall terminate on September 1, [2021] **2028**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 782, Page 1, Line 8, by inserting after all of said line the following:

“Further amend said bill, Page 5, Section, 136.055, Lines 1 to 72, by removing all of said section and lines from the bill; and”; and

Further amend said amendment, Page 1, Lines 19 to 35 and Page 2, Lines 1 to 8, by removing all of said lines from the amendment; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 782, Pages 1-2, Section 32.056, Lines 1-27, by removing all of said section from the bill; and

Further amend said bill, Page 2, Section 32.300, Lines 1-27, by removing all of said section from the bill; and

Further amend said bill, Pages 2-3, Section 32.450, Lines 1-26, by removing all of said section from the bill; and

Further amend said bill, Pages 7-12, Section 137.115, Lines 1-194, by removing all of said section from the bill; and

Further amend said bill, Pages 44-48, Section 302.170, Lines 1-170, by removing all of said section from the bill; and

Further amend said bill, Pages 52-55, Section 302.181, Lines 1-119, by removing all of said section from the bill; and

Further amend said bill, Pages 57-61, Section 304.170, Lines 1-130, by removing all of said section from the bill; and

Further amend said bill, Page 61, Section 304.172, Lines 1-6, by removing all of said section from the bill; and

Further amend said bill, Pages 61-65, Section 304.180, Lines 1-157, by removing all of said section from the bill; and

Further amend said bill, Page 65, Section 305.800, Lines 1-10, by removing all of said section from the bill; and

Further amend said bill, Page 66, Section 305.802, Lines 1-34, by removing all of said section from the bill; and

Further amend said bill, Pages 66-67, Section 305.804, Lines 1-30, by removing all of said section from the bill; and

Further amend said bill, Page 67-68, Section 305.806, Lines 1-23, by removing all of said section from the bill; and

Further amend said bill, Page 68, Section 305.808, Lines 1-7, by removing all of said section from the bill; and

Further amend said bill, Page 68, Section 305.810, Lines 1-7, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 782, Page 65, Section 305.800, Lines 1-10, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.800. As used in sections 305.800 to 305.810, the following terms mean:

(1) “Abandoned aircraft”, an aircraft left in a wrecked, inoperative, or partially dismantled condition at an airport; or an aircraft that has remained in an idle state at an airport for forty-five consecutive calendar days without a contractual agreement between the owner or operator of the aircraft and the airport for use of the airport premises;

(2) “Airport superintendent”, the person or group of people authorized to make decisions on behalf of an airport, including but not limited to , an airport operated by a city, county, or other political subdivision;

(3) “Derelict aircraft”, any aircraft that is not in a flyable condition, does not have a current certificate of airworthiness issued by the Federal Aviation Administration, and is not in the process of actively being repaired.”; and

Further amend said bill, Page 66, Section 305.802, Lines 1-34, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.802. 1. If a derelict aircraft or abandoned aircraft is discovered on airport property, the airport superintendent shall:

(1) Make a record of the date the aircraft was discovered on the airport property; and

(2) Inquire as to the name and address of any person having an equitable or legal interest in the aircraft, including the owner and any lienholders, by:

(a) Contacting the Federal Aviation Administration, aircraft registration branch, and making a diligent search of the appropriate records; or

(b) Contacting an aircraft title search company.

2. Within ten business days of receiving the information requested under subsection 1 of this section, the airport superintendent shall notify the owner and all other interested parties by certified mail, return receipt requested:

(1) Of the location of the derelict or abandoned aircraft on the airport property;

(2) That fees and charges for the use of the airport by the aircraft have accrued and the amount of those fees and charges;

(3) That the aircraft is subject to a lien under section 305.806 for any unpaid and accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft;

(4) That the lien is subject to enforcement under this section;

(5) That the airport may use, trade, sell, or remove the aircraft as described in section 305.804 if, within thirty calendar days after the date of receipt of the notice, the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft; and

(6) That the airport superintendent may remove the aircraft in less than thirty calendar days if the aircraft poses a danger to the health or safety of users of the airport, as determined by the airport superintendent.

3. (1) If the owner of the aircraft is unknown or cannot be found after the inquiry required under subdivision (1) of subsection 2 of this section, the airport superintendent shall place a notice upon the aircraft in a conspicuous place containing the information required under subdivisions (2), (3), (4), (5), and (6) of subsection 2 of this section.

(2) The notice required under subdivision (1) of this subsection shall be not less than eight inches by ten inches and shall be laminated or otherwise sufficiently weatherproof to withstand normal exposure to rain, snow, and other conditions.”; and

Further amend said bill, Pages 66-67, Section 305.804, Lines 1-30, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.804. 1. If the owner or other interested party has not removed the aircraft from the airport and paid in full all accrued fees and charges for the use of the airport and for the transportation, storage, and removal of the aircraft, or shown reasonable cause for the failure to do so within thirty calendar days of the airport superintendent posting notice under section 305.802, the airport superintendent may:

(1) Retain the aircraft for use by the airport, the state, or the unit of local government owning or operating the airport;

(2) Trade the aircraft to another unit of local government or a state agency;

(3) Sell the aircraft; or

(4) Dispose of the aircraft through an appropriate refuse removal company or a company that provides salvage services for aircraft.

2. If the airport superintendent elects to sell the aircraft in accordance with subdivision (3) of subsection 1 of this section, the aircraft shall be sold at public auction after giving notice of the time and place of sale, at least ten calendar days prior to the date of sale, in a newspaper of general circulation within the county where the airport is located and after providing written notice of the intended sale to all parties known to have an interest in the aircraft.

3. If the airport superintendent elects to dispose of the aircraft in accordance with subdivision (4) of subsection 1 of this section, the airport superintendent shall be entitled to negotiate with the company for a price to be received from the company in payment for the aircraft, or, if circumstances so warrant, a price to be paid to the company by the airport superintendent for the costs of disposing of the aircraft. All information and records pertaining to the establishment of the price and the justification for the amount of the price shall be prepared and maintained by the airport superintendent.

4. If the sale price or the negotiated price is less than the airport superintendent's current fees and charges against the aircraft, the owner of the aircraft shall remain liable to the airport superintendent for the fees and charges that are not offset by the sale price or negotiated price.

5. All costs incurred by the airport superintendent in the removal, storage, and sale of any aircraft shall be recoverable against the owner of the aircraft.”; and

Further amend said bill, Pages 67-68, Section 305.806, Lines 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.806. 1. The airport superintendent shall have a lien on a derelict or abandoned aircraft for all unpaid fees and charges for the use of the airport by the aircraft and for all unpaid costs incurred by the airport superintendent for the transportation, storage, and removal of the aircraft. As a prerequisite to perfecting a lien under this section, the airport superintendent shall serve a notice on the last registered owner and all persons having an equitable or legal interest in the aircraft.

2. (1) For the purpose of perfecting a lien under this section, the airport superintendent shall file a claim of lien that states:

(a) The name and address of the airport;

(b) The name of the last registered owner of the aircraft and all persons having a legal or equitable interest in the aircraft;

(c) The fees and charges incurred by the aircraft for the use of the airport and the costs for the transportation, storage, and removal of the aircraft; and

(d) A description of the aircraft sufficient for identification.

(2) The claim of lien shall be signed and sworn to or affirmed by the airport superintendent's director or the director's designee.

(3) The claim of lien shall be served on the last registered owner of the aircraft and all persons having an equitable or legal interest in the aircraft. The claim of lien shall be served before filing.

(4) The claim of lien shall be filed with the proper office according to section 400-9.501. The filing of the claim of lien shall be constructive notice to all persons of the contents and effect of such claim. The lien shall attach at the time of filing and shall take priority as of that time.”; and

Further amend said bill, Page 68, Section 305.808, Lines 1-7, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.808. 1. If the aircraft is sold, the airport superintendent shall satisfy the airport superintendent’s lien, plus the reasonable expenses of notice, advertisement, and sale from the proceeds of the sale.

2. The balance of the proceeds of the sale, if any, shall be held by the airport superintendent and delivered on demand to the owner of the aircraft.

3. If no person claims the balance within twelve months of the date of sale, the airport shall retain the funds and use the funds for airport operations.”; and

Further amend said bill and page, Section 305.810, Lines 1-7, by deleting all of said section and lines and inserting in lieu thereof the following:

“305.810. 1. Any person acquiring a legal interest in an aircraft under sections 305.800 to 305.810 shall be the lawful owner of the aircraft and all other legal or equitable interests in that aircraft shall be divested; provided that, the holder of any legal or equitable interest was notified of the intended disposal of the aircraft as required under sections 305.800 to 305.810.

2. The airport superintendent may issue documents of disposition to the purchaser or recipient of an aircraft disposed of under sections 305.800 to 305.810.”; and

Further amend said bill, Page 71, Section 407.1329, Line 39, by inserting after all of said section and line the following:

“640.500. Any county historical society, or county commission in a county without a historical society, may designate certain real property as historic farm property if such property has been used for agricultural or horticultural purposes and the historical society or county commission deems the property historically significant or significant to agriculture. The provisions of subdivision (3) of section 523.039 shall apply to any property designated as a historic farm property under the provisions of this section. The county historical society, or county commission in a county without a historical society, may develop an application and approval process for historic farm property designations and may offer appropriate signage for historic farm property owners to display on their property or for counties to display along their roads and highways.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 782, Page 19, Section 227.600, Line 77, by inserting after all of said line the following:

“300.010. The following words and phrases when used in this ordinance mean:

(1) “Alley” or “alleyway”, any street with a roadway of less than twenty feet in width;

(2) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of [six] **one thousand five** hundred pounds or less, traveling on three, four or more [low pressure] **nonhighway** tires, with **either**:

(a) A seat designed to be straddled by the operator, and handlebars for steering control; **or**

(b) **A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;**

(3) “Authorized emergency vehicle”, a vehicle publicly owned and operated as an ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle operated as an ambulance when responding to emergency calls;

(4) “Business district”, the territory contiguous to and including a highway when within any six hundred feet along the highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway;

(5) “Central business (or traffic) district”, all streets and portions of streets within the area described by city ordinance as such;

(6) “Commercial vehicle”, every vehicle designed, maintained, or used primarily for the transportation of property;

(7) “Controlled access highway”, every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or roadway;

(8) “Crosswalk”,

(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable roadway;

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;

(9) “Curb loading zone”, a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials;

(10) “Driver”, every person who drives or is in actual physical control of a vehicle;

(11) “Freight curb loading zone”, a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers);

(12) “Highway”, the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel;

(13) “Intersection”,

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then

the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;

(b) Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection;

(14) "Laned roadway", a roadway which is divided into two or more clearly marked lanes for vehicular traffic;

(15) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and motorized bicycles;

(16) "Motorcycle", every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor;

(17) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(18) "Official time standard", whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in the city;

(19) "Official traffic control devices", all signs, signals, markings and devices not inconsistent with this ordinance placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

(20) "Park" or "parking", the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

(21) "Passenger curb loading zone", a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers;

(22) "Pedestrian", any person afoot;

(23) "Person", every natural person, firm, copartnership, association or corporation;

(24) "Police officer", every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations;

(25) "Private road" or "driveway", every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons;

(26) "Railroad", a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails;

(27) "Railroad train", a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars;

(28) "Residence district", the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet or more is in the main

improved with residences or residences and buildings in use for business;

(29) “Right-of-way”, the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other;

(30) “Roadway”, that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term “roadway” as used herein shall refer to any such roadway separately but not to all such roadways collectively;

(31) “Safety zone”, the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;

(32) “Sidewalk”, that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians;

(33) “Stand” or “standing”, the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers;

(34) “Stop”, when required, complete cessation from movement;

(35) “Stop” or “stopping”, when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal;

(36) “Street” or “highway”, the entire width between the lines of every way publicly maintained when any part thereof is open to the uses of the public for purposes of vehicular travel. “State highway”, a highway maintained by the state of Missouri as a part of the state highway system;

(37) “Through highway”, every highway or portion thereof on which vehicular traffic is given preferential rights-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield rights-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this ordinance;

(38) “Traffic”, pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for purposes of travel;

(39) “Traffic control signal”, any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed;

(40) “Traffic division”, the traffic division of the police department of the city, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of the city;

(41) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated by handicapped persons.”

Further amend said bill, Page 19, Section 301.010, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

“off-highway use [which is fifty inches or less in width], with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, **with either:**

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;”; and

Further amend said section, Page 24, Lines 179 and 180, by deleting all of said lines and inserting in lieu thereof the following:

“exclusively for off-highway use which is more than fifty inches but no more than [sixty-seven] **eighty** inches in width, **measured from outside of tire rim to outside of tire rim**, with an unladen dry weight of [two] **three thousand five hundred** pounds or less, traveling on four”; and

Further amend said section, Page 27, Lines 284 and 285, by deleting all of said lines and inserting in lieu thereof the following:

“off-highway use which is more than fifty inches but no more than [sixty-seven] **eighty** inches in width, **measured from outside of tire rim to outside of tire rim**, with an unladen dry weight of [two] **three thousand five hundred** pounds or less, traveling on four or six wheels, to”; and

Further amend said bill, Page 70, Section 306.127, Line 72, by inserting after all of said line the following:

“407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires, the following terms mean:

(1) “Administrative hearing commission”, the body established in chapter 621 to conduct administrative hearings;

(2) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of [six] **one thousand five** hundred pounds or less, traveling on three, four or more [low pressure] **nonhighway** tires, with **either:**

(a) A seat designed to be straddled by the operator, and handlebars for steering control; or

(b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;

(3) “Coerce”, to compel or attempt to compel a person to act in a given manner by pressure, intimidation, or threat of harm, damage, or breach of contract, but shall not include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion without unreasonable conditions;

(b) Notice given in good faith to any franchisee of such franchisee’s violation of terms or provisions of such franchise or contractual agreement; or

(c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor;

(4) “Common entity”, a person:

(a) Who is either controlled or owned, beneficially or of record, by one or more persons who also control or own more than forty percent of the voting equity interest of a franchisor; or

(b) Who shares directors or officers or partners with a franchisor;

(5) “Control”, to possess, directly or indirectly, the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting securities, by contract, or otherwise; except that “control” does not include the relationship between a franchisor and a franchisee under a franchise agreement;

(6) “Dealer-operator”, the individual who works at the established place of business of a dealer and who is responsible for and in charge of day-to-day operations of that place of business;

(7) “Distributor”, a person, resident or nonresident, who, in whole or in part, sells or distributes new motor vehicles to motor vehicle dealers in this state;

(8) “Franchise” or “franchise agreement”, a written arrangement or contract for a definite or indefinite period, in which a person grants to another person a license to use, or the right to grant to others a license to use, a trade name, trademark, service mark, or related characteristics, in which there is a community of interest in the marketing of goods or services, or both, at wholesale or retail, by agreement, lease or otherwise, and in which the operation of the franchisee’s business with respect to such franchise is substantially reliant on the franchisor for the continued supply of franchised new motor vehicles, parts and accessories for sale at wholesale or retail. The franchise includes all portions of all agreements between a franchisor and a franchisee, including but not limited to a contract, new motor vehicle franchise, sales and service agreement, or dealer agreement, regardless of the terminology used to describe the agreement or relationship between the franchisor and franchisee, and also includes all provisions, schedules, attachments, exhibits and agreements incorporated by reference therein;

(9) “Franchisee”, a person to whom a franchise is granted;

(10) “Franchisor”, a person who grants a franchise to another person;

(11) “Good faith”, the duty of each party to any franchise and all officers, employees, or agents thereof, to act in a fair and equitable manner toward each other so as to guarantee the one party freedom from coercion, intimidation, or threat of coercion or intimidation from the other party;

(12) “Importer”, a person who has written authorization from a foreign manufacturer of a line-make of motor vehicles to grant a franchise to a motor vehicle dealer in this state with respect to that line-make;

(13) “Line-make”, a collection of models, series, or groups of motor vehicles manufactured by or for a particular manufacturer, distributor or importer offered for sale, lease or distribution pursuant to a common brand name or mark; provided, however:

(a) Multiple brand names or marks may constitute a single line-make, but only when included in a common dealer agreement and the manufacturer, distributor or importer offers such vehicles bearing the multiple names or marks together only, and not separately, to its authorized dealers; and

(b) Motor vehicles bearing a common brand name or mark may constitute separate line-makes when pertaining to motor vehicles subject to separate dealer agreements or when such vehicles are intended for different types of use;

(14) “Manufacturer”, any person, whether a resident or nonresident of this state, who manufactures or assembles motor vehicles or who manufactures or installs on previously assembled truck chassis special bodies or equipment which, when installed, form an integral part of the motor vehicle and which constitute a major manufacturing alteration. The term “manufacturer” includes a central or principal sales corporation

or other entity, other than a franchisee, through which, by contractual agreement or otherwise, it distributes its products;

(15) “Motor vehicle”, for the purposes of sections 407.810 to 407.835, any motor-driven vehicle required to be registered pursuant to the provisions of chapter 301, except that, motorcycles and all-terrain vehicles as defined in section 301.010 shall not be included. The term “motor vehicle” shall also include any engine, transmission, or rear axle, regardless of whether attached to a vehicle chassis, that is manufactured for the installation in any motor-driven vehicle with a gross vehicle weight rating of more than sixteen thousand pounds that is registered for the operations on the highways of this state under chapter 301;

(16) “New”, when referring to motor vehicles or parts, means those motor vehicles or parts which have not been held except as inventory, as that term is defined in subdivision (4) of section 400.9-109;

(17) “Person”, a natural person, sole proprietor, partnership, corporation, or any other form of business entity or organization;

(18) “Principal investor”, the owner of the majority interest of any franchisee;

(19) “Reasonable”, shall be based on the circumstances of a franchisee in the market served by the franchisee;

(20) “Require”, to impose upon a franchisee a provision not required by law or previously agreed to by a franchisee in a franchise agreement;

(21) “Successor manufacturer”, any manufacturer that succeeds, or assumes any part of the business of, another manufacturer, referred to as the “predecessor manufacturer”, as the result of:

(a) A change in ownership, operation, or control of the predecessor manufacturer by sale or transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation, combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

(b) The termination, suspension or cessation of a part or all of the business operations of the predecessor manufacturer;

(c) The noncontinuation of the sale of the product line; or

(d) A change in distribution system by the predecessor manufacturer, whether through a change in distributor or the predecessor manufacturer’s decision to cease conducting business through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise requires, the following terms mean:

(1) “Administrative hearing commission”, the body established in chapter 621 to conduct administrative hearings;

(2) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of [six] **one thousand five** hundred pounds or less, traveling on three, four or more [low pressure] **nonhighway** tires, with **either**:

(a) A seat designed to be straddled by the operator, and handlebars for steering control; **or**

(b) **A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,**

regardless of seating or steering arrangement;

(3) “Coerce”, to force a person to act in a given manner or to compel by pressure or threat but shall not be construed to include the following:

(a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion;

(b) Notice given in good faith to any franchisee of such franchisee’s violation of terms or provisions of such franchise or contractual agreement;

(c) Any other conduct set forth in section 407.1043 as a defense to an action brought pursuant to sections 407.1025 to 407.1049; or

(d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to 407.1049;

(4) “Franchise”, a written arrangement or contract for a definite or indefinite period, in which a person grants to another person a license to use, or the right to grant to others a license to use, a trade name, trademark, service mark, or related characteristics, in which there is a community of interest in the marketing of goods or services, or both, at wholesale or retail, by agreement, lease or otherwise, and in which the operation of the franchisee’s business with respect to such franchise is substantially reliant on the franchisor for the continued supply of franchised new motorcycles or all-terrain vehicles, parts and accessories for sale at wholesale or retail;

(5) “Franchisee”, a person to whom a franchise is granted;

(6) “Franchisor”, a person who grants a franchise to another person;

(7) “Motorcycle”, a motor vehicle operated on two wheels;

(8) “New”, when referring to motorcycles or all-terrain vehicles or parts, means those motorcycles or all-terrain vehicles or parts which have not been held except as inventory, as that term is defined in subdivision (4) of section 400.9-109;

(9) “Person”, a sole proprietor, partnership, corporation, or any other form of business organization.”; and

Further amend said bill, Page 71, Section 407.1329, Line 39, by inserting after all of said line the following:

“577.001. As used in this chapter, the following terms mean:

(1) “Aggravated offender”, a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) “Aggravated boating offender”, a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Two or more intoxication-related boating offenses committed on separate occasions where at least

one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use [which is fifty inches or less in width], with an unladen dry weight of one thousand **five hundred** pounds or less, traveling on three, four or more [low pressure] **nonhighway** tires, with **either**:

(a) A seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control; **or**

(b) **A width of fifty inches or less, measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement;**

(4) “Court”, any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or treatment court;

(5) “Chronic offender”, a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) “Chronic boating offender”, a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) “Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(8) “Controlled substance”, a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

(9) “Drive”, “driving”, “operates” or “operating”, physically driving or operating a vehicle or vessel;

(10) “Flight crew member”, the pilot in command, copilots, flight engineers, and flight navigators;

(11) “Habitual offender”, a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(12) “Habitual boating offender”, a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant’s vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person’s blood;

(13) “Intoxicated” or “intoxicated condition”, when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

(14) “Intoxication-related boating offense”, operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

(15) “Intoxication-related traffic offense”, driving while intoxicated, driving with excessive blood alcohol content, driving under the influence of alcohol or drugs in violation of a state law, county or municipal ordinance, any federal offense, or any military offense, or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law,

county or municipal ordinance, any federal offense, or any military offense;

(16) “Law enforcement officer” or “arresting officer”, includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

(17) “Operate a vessel”, to physically control the movement of a vessel in motion under mechanical or sail power in water;

(18) “Persistent offender”, a person who has been found guilty of:

(a) Two or more intoxication-related traffic offenses committed on separate occasions; or

(b) One intoxication-related traffic offense committed in violation of any state law, county or municipal ordinance, federal offense, or military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(19) “Persistent boating offender”, a person who has been found guilty of:

(a) Two or more intoxication-related boating offenses committed on separate occasions; or

(b) One intoxication-related boating offense committed in violation of any state law, county or municipal ordinance, federal offense, or military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(20) “Prior offender”, a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

(21) “Prior boating offender”, a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 782, Page 1, Line 1, by inserting after the number “782,”, the following:

“Page 19, Section 227.600, Line 77, by inserting after said section and line the following:

“300.155. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 300.160, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 300.160, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown except as provided in paragraph (b) of this subdivision;

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) The driver of a vehicle which is in the left-most lane on a one-way street and stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a left turn onto a one-way street but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such left turn against a red signal at any intersection where safety conditions so require and such prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(d) Unless otherwise directed by a pedestrian control signal as provided in section 300.160, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their

nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 304.291, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph (b);

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) The driver of a vehicle which is in the left-most lane on a one-way street and stopped as close

as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a left turn onto a one-way street but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such left turn against a red signal at any intersection where safety conditions so require and such prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(d) Unless otherwise directed by a pedestrian control signal as provided in section 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provision of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

2. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.”; and

Further amend said bill,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 782, Page 24, Section 301.010, Line 159, by inserting after the first occurrence of the word, “vehicle” the words, **“or who has executed a buyer’s order or retail installment sales contract with a motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate right of possession vested in the transferee,”**; and

Further amend said bill, Page 32, Section 301.032, Line 94, by inserting after all of said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213, **or no more than sixty days if the dealer is selling the motor vehicle under the provisions of subsection 5 of section 301.210.** As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, **the** applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, **the** applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days, or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, **or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210**, from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized

agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days, or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213, **or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210**, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable, shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer, and shall be returned to the department or to the department's agent upon the issuance of such proper registration plates. Any temporary permit returned to the department or to the department's agent shall be immediately destroyed. The provisions of this subsection shall not apply to temporary permits issued for commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other

item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

9. Notwithstanding the provisions of section 301.217, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

10. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer, unless the motor vehicle was acquired under section 301.213 or **subsection 5 of section 301.210** in which case the applicant shall make application within thirty days after receiving title from the dealer, upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source

of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, or where the motor vehicle was acquired under section 301.213 or **subsection 5 of section 301.210** and the applicant fails to make application within thirty days after receiving title from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total

of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under section 301.213 **or subsection 5 of section 301.210** and the applicant fails to make application within thirty days after receiving title from the dealer, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the

application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and

which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.210. 1. In the event of a sale or transfer of ownership of a motor vehicle or trailer for which a certificate of ownership has been issued, the holder of such certificate shall endorse on the same an assignment thereof, with warranty of title in form printed thereon, and prescribed by the director of revenue, with a statement of all liens or encumbrances on such motor vehicle or trailer, and deliver the same to the buyer at the time of the delivery to him of such motor vehicle or trailer; provided that, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.575, the provisions of subdivision (3) of subsection 7 of section 144.070 shall not apply.

2. The buyer shall then present such certificate, assigned as aforesaid, to the director of revenue, at the time of making application for the registration of such motor vehicle or trailer, whereupon a new certificate of ownership shall be issued to the buyer, the fee therefor being that prescribed in subsection 5 of section 301.190.

3. If such motor vehicle or trailer is sold to a resident of another state or country, or if such motor vehicle or trailer is destroyed or dismantled, the owner thereof shall immediately notify the director of revenue. Certificates when so signed and returned to the director of revenue shall be retained by the director of revenue and all certificates shall be appropriately indexed so that at all times it will be possible for him to expeditiously trace the ownership of the motor vehicle or trailer designated therein.

4. It shall be unlawful for any person to buy or sell in this state any motor vehicle or trailer registered under the laws of this state, unless, at the time of the delivery thereof, there shall pass between the parties such certificates of ownership with an assignment thereof, as provided in this section, and the sale of any motor vehicle or trailer registered under the laws of this state, without the assignment of such certificate of ownership, shall be **presumed** fraudulent and void **unless the parties have executed a written agreement for delayed delivery of certificate of ownership as provided in subsection 5 of this section.**

5. A motor vehicle dealer licensed under sections 301.550 to 301.580 may deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of ownership with an assignment to the purchaser within thirty days after delivery, inclusive of weekends and holidays.

(1) The form of the agreement shall be prescribed by the director of revenue. The agreement shall provide that if the motor vehicle dealer does not pass the certificate of ownership with an assignment to the purchaser within thirty days that the sale shall be voidable at purchaser's option and, in such case, dealer shall re-purchase the vehicle by paying and satisfying in full any purchase money lien against the vehicle, including accrued penalties and fees, with the remainder of one hundred percent of the sale price refunded and paid by the dealer to the buyer. As used in this subdivision, the term "sale price" shall include the negotiated price of the vehicle, the down payment, the trade-in allowance even if the allowance reflected negative equity, and the price of all optional services and products sold to the buyer under the sales and finance transaction.

(2) In the event a motor vehicle subject to this subsection has suffered physical damage covered by the purchaser's vehicle insurance policy and the vehicle is determined by the insurance company to be a total loss, the insurance company may satisfy the claim in full, with respect to the damage to the vehicle, by transferring all proceeds to such purchaser and any secured lienholder of record. The purchaser shall not assign the purchaser's corresponding insurance benefits to any party without the express written permission of the insurer. In conjunction with such satisfaction of the claim, if as part of such claim settlement the insurance company is to receive the vehicle under subdivision (3) of this subsection, but clear title never vests with the purchaser within the thirty-day period after the date of sale prescribed by subdivision (1) of this subsection or within ten days of the claim settlement date, whichever is later, the insurance company shall notify the dealer that clear title never vested with the purchaser and the dealer shall reimburse the insurance company for the salvage value of such vehicle as determined in the claims settlement with the purchaser, and in exchange the insurance company shall assign its rights to the vehicle back to the dealer. If the dealer fails to make payment to the insurance company within fifteen days of receiving notice, the dealer shall be liable to the insurance company for the value of the salvage as determined in the claims settlement with the purchaser, plus any actual damages and any applicable court costs, in return for the right to acquire the title and apply for a salvage title under this chapter.

(3) Notwithstanding any provision of law to the contrary, completion of the requirements of this subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle to an insurance company in situations where the vehicle has been declared salvage or a total loss by the insurance company as a result of a settlement of a claim. Such insurance company may apply for a salvage certificate of title or junking certificate under subsection 3 of section 301.193 in order to transfer its interest in such vehicle. The purchaser may also use the dealer-supplied copy of the agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lender or insurance company may rely upon a copy of the signed written agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

(4) No motor vehicle dealer shall be authorized under this subsection to enter and have outstanding any such written agreements until such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit in amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the fifty thousand dollar bond otherwise required for licensure as a motor vehicle dealer.

301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to 301.580 that has provided to the director of revenue a surety bond or irrevocable letter of credit in an amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the fifty thousand dollar bond otherwise required for licensure as a motor vehicle dealer shall be authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of ownership, and to receive such vehicle subject to any existing liens thereon created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives the following:

(1) A signed written contract between the licensed dealer and the owner of the vehicle outlining the terms of the sale or acceptance in trade of such motor vehicle without transfer of the certificate of ownership; and

(2) Physical delivery of the vehicle to the licensed dealer; and

(3) A power of attorney from the owner to the licensed dealer, in accordance with subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf.

2. If the dealer complies with the requirements of subsection 1 of this section, the sale or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has physically delivered the motor vehicle to the licensed dealer, the prior owners' insurable interest in such vehicle shall cease to exist.

3. If a licensed dealer complies with the requirements of subsection 1 of this section, and such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit in amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the fifty thousand dollar bond otherwise required for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to receiving and assigning to the purchaser the certificate of ownership, provided such dealer complies with the following:

(1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

(2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

(3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

(4) The dealer has signed an application for duplicate or replacement title for the vehicle under subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy

of the power of attorney required by subsection 1 of this section, and the dealer has prepared and delivered to the purchaser an application for title for the vehicle in the purchaser's name; and

(5) The dealer and the purchaser have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to provide to the dealer proof of financial responsibility in accordance with chapter 303 and proof of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the original or an electronic copy of the signed agreement and deliver a copy of the signed agreement to the purchaser. Such dealer shall also complete and deliver to the director of revenue such form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle without contemporaneous delivery of the title.

Notwithstanding any provision of law to the contrary, completion of the requirements of this subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle to an insurance company in situations where the vehicle has been declared salvage or a total loss by the insurance company as a result of a settlement of a claim. Such insurance company may apply for a salvage certificate of title or junking certificate pursuant to the provisions of subsection 3 of section 301.193 in order to transfer its interest in such vehicle. The purchaser may also use the dealer-supplied copy of the agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lender or insurance company may rely upon a copy of the signed written agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

4. Following a sale or other transaction in which a certificate of ownership has not been assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or replacement certificate of ownership applied for under subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of ownership to the purchaser upon either:

(1) Physical delivery of the certificate of ownership to any of the purchasers identified in the contract with such dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with such dealer.

5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after

making reasonable attempts, or if the dealer fails to assign and deliver the duplicate or replacement certificate of ownership to the purchaser by the date agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title which may have been issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby damaged, then the seller shall be liable to each such party for actual and punitive damages, plus court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions, or violations of this section, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.

10. The department of revenue may use a dealer's repeated or intentional violation of this section as a cause to suspend, revoke, or refuse to issue or renew any license required pursuant to sections 301.550 to 301.580, in addition to the causes set forth in section 301.562. The hearing process shall be the same as that established in subsection 6 of section 301.562.

11. No dealer shall enter into a contract under this section after December 31, 2020. Any contract entered into prior to December 31, 2020, shall be enforceable as provided in this section. This section shall be repealed effective December 31, 2020.

301.280. 1. Every motor vehicle dealer and boat dealer shall make a monthly report to the department of revenue, on blanks to be prescribed by the department of revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer; year of manufacture; model of vehicle; vehicle identification number;

style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer or all-terrain vehicle is new or secondhand. Each monthly sales report filed by a motor vehicle dealer who collects sales tax under subsection 10 of section 144.070 shall also include the amount of state and local sales tax collected for each motor vehicle sold if sales tax was due. The odometer reading is not required when reporting the sale of any motor vehicle that is ten years old or older, any motor vehicle having a gross vehicle weight rating of more than sixteen thousand pounds, new vehicles that are transferred on a manufacturer's statement of origin between one franchised motor vehicle dealer and another, or boats, all-terrain vehicles or trailers. The sale of all temporary permits shall be recorded in the appropriate space on the dealer's monthly sales report, unless the sale of the temporary permit is already recorded by electronic means as determined by the department. **The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of section 301.210.** The monthly sales report shall be completed in full and signed by an officer, partner, or owner of the dealership, and actually received by the department of revenue on or before the fifteenth day of the month succeeding the month for which the sales are being reported. If no sales occur in any given month, a report shall be submitted for that month indicating no sales. Any vehicle dealer who fails to file a monthly report or who fails to file a timely report shall be subject to disciplinary action as prescribed in section 301.562 or a penalty assessed by the director not to exceed three hundred dollars per violation. Every motor vehicle and boat dealer shall retain copies of the monthly sales report as part of the records to be maintained at the dealership location and shall hold them available for inspection by appropriate law enforcement officials and officials of the department of revenue. Every vehicle dealer selling twenty or more vehicles a month shall file the monthly sales report with the department in an electronic format. Any dealer filing a monthly sales report in an electronic format shall be exempt from filing the notice of transfer required by section 301.196. For any dealer not filing electronically, the notice of transfer required by section 301.196 shall be submitted with the monthly sales report as prescribed by the director.

2. Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the person delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for five years and be open for inspection by law enforcement officials, members or authorized or designated employees of the Missouri highway patrol, and persons, agencies and officials designated by the director of revenue.

3. Every dealer and every person operating a public garage in which a motor vehicle remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing.

4. The director of revenue shall maintain appropriately indexed cumulative records of unclaimed vehicles reported to the director. Such records shall be kept open to public inspection during reasonable business hours.

5. The alteration or obliteration of the vehicle identification number on any such motor vehicle shall be

prima facie evidence of larceny, and the dealer or person operating such public garage shall upon the discovery of such obliteration or alteration immediately notify the highway patrol, sheriff, marshal, constable or chief of police of the municipality where the dealer or garage keeper has his place of business, and shall hold such motor vehicle or trailer for a period of forty-eight hours for the purpose of an investigation by the officer so notified.

6. Any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the department of revenue, as described in subsection 1 of this section, shall be deemed guilty of a class A misdemeanor.”; and

Further amend said bill, Page 34, Section 301.560, Lines 65-71, by deleting all of said lines and inserting in lieu thereof the following:

“irrevocable letter of credit. [The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.] Additionally, every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the application a copy of a current dealer garage policy bearing the policy number and name of the insurer and the insured. **The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party. The proceeds of the bond or irrevocable letter of credit furnished by an applicant shall be paid at the order of the department and in the amount determined by the department to any buyer or interested lienholder up to the greater of the amount required for the release of the purchase money lien or the sales price paid by the buyer where a dealer has failed to fulfill the dealer’s obligations under an agreement to assign and deliver title to the buyer within thirty days under a contract entered into pursuant to subsection 5 of section 301.210. The department shall direct release of the bond or irrevocable letter of credit proceeds upon presentation of a written agreement entered into pursuant to subsection 5 of section 301.210, copies of the associated sales and finance documents, and the affidavit or affidavits of the buyer or lienholder stating that the certificate of title with assignment thereof has not been passed to the buyer within thirty days of the date of the contract entered into under subsection 5 of section 301.210, that the dealer has not fulfilled the agreement under the contract to re-purchase the vehicle, that the buyer or the lienholder has notified the dealer of the claim on the bond or letter of credit, and the amount claimed by the purchaser or lienholder. In addition, prior to directing release and payment of the proceeds of a bond or irrevocable letter of credit, the department shall ensure that there is satisfactory evidence to establish that the vehicle which is subject to the written agreement has been returned by the buyer to the dealer or that the buyer has represented to the department that the buyer will surrender possession of the vehicle to the dealer upon payment of the proceeds of the bond or letter of credit directed by the department. Excepting ordinary wear and tear or mechanical failures not caused by the buyer, the amount of proceeds to be paid to the buyer under the bond or irrevocable letter of credit shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred by the vehicle while the vehicle was in the buyer’s possession as agreed between the buyer and the dealer. The dealer may apply to a court of competent jurisdiction to contest the claim on the bond or letter of credit, including the amount of the claim and the amount of any adjustment for any damage, abuse, or destruction, by filing a petition with the court within thirty days of the notification by the buyer or lienholder. If the dealer does not fulfill the agreement or file**

a petition to request judicial relief from the terms of the agreement or contest the amount of the claim, the bond or letter of credit shall be released by the department and directed paid in the amount or amounts presented by the lienholder or buyer;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.”; and

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 782, Page 2, Line 7, by inserting after all of said line the following:

“227.484. The portion of State Highway 67 from State Highway D to PVT Monsanto Access Drive/Bayer Drive in St. Louis County shall be designated the “Myrtle Hilliard Davis Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 782, Page 17, Section 144.805, Line 34, by inserting after all of said section and line the following:

“227.470. The portion of State Highway 13 from County Road NE 1000 continuing south to County Road NE 800 in St. Clair County shall be designated as “J.D. Stehwein Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.474. The portion of U.S. State Highway 54 from State Highway 87 continuing west to State Highway 52 in Miller County shall be designated as “Deputy Sheriff Casey L Shoemate Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.475. The portion of State Highway 17 from Broadway Street continuing south to Dogwood Drive through the city of Waynesville in Pulaski County shall be designated as “Chief of Police Ferman R Raines Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.476. The portion of State Highway 9 from Nodaway Street to Park College Entrance Drive in Platte County shall be designated as “Bill Grigsby Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.477. The portion of U.S. Business 71 from State Highway 76 West to State Highway EE in McDonald County shall be designated as “Army PFC Christopher Lee Marion Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.478. The portion of U.S. State Highway 160 from West BYP to County Road 115 in Greene County shall be designated as “Otis E Moore Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.479. The portion of State Highway D from the intersection with State Highway 84 continuing north to County Road 321 in Pemiscot County shall be designated as “Duane S Michie Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.480. The bridge on State Highway 13 crossing over the Osage River (Truman Lake Osage Arm) in St. Clair County in the city of Osceola shall be designated as “NASA Scientist Dr Charles T Bourland Memorial Bridge”. The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs to be paid by private donations.

227.482. The portion of U.S. State Highway 36 from the intersection of U.S. State Highway 61 continuing west to Shinn Lane in Marion County shall be designated as “George Poage Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.483. The portion of U.S. State Highway 36 from the Illinois/Missouri state line continuing to the intersection of U.S. State Highway 61 in Marion County shall be designated as “Mark Twain Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.485. The portion of State Highway H from Interstate 44 West continuing north to County Road 88 in Greene County shall be designated as “Deputy Sheriff Aaron P Roberts Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 782, Page 17, Section 144.805, Line 34, by inserting after all of said section and line the following:

“227.463. The portion of Interstate 29 from its intersection of Interstate 70/U.S. State Highway 71/40 in Jackson County north to the bridge crossing over Nishnabotna River in Atchison County, except for those portions of Interstate 29 previously designated as of August 28, 2019, shall be designated the “Purple Heart Trail”. Costs for such designation shall be paid by private donations.

227.464. The portion of Interstate 55 from State Highway O in Pemiscot County to U.S. Highway 40 in St. Louis City, except for those portions of Interstate 55 previously designated as of August 28, 2019, shall be designated the “Purple Heart Trail”. Costs for such designation shall be paid by private donations.

227.465. The portion of Interstate 57 from the Missouri/Illinois state line in Mississippi County continuing south to U.S. State Highway 60/State Highway AA in Scott County shall be designated the “Purple Heart Trail”. Costs for such designation shall be paid by private donations.

227.466. The portion of Interstate 64 from Interstate 70 from the city of Wentzville in St. Charles County continuing east to Interstate 55 at the Missouri/Illinois state line in St. Louis City, except for those portions of Interstate 64/US40/US61 previously designated as of August 28, 2020, shall be designated the “Purple Heart Trail”. Costs for such designation shall be paid by private donations.

227.467. Notwithstanding any provision of this chapter to the contrary, a highway’s classification as a “Purple Heart Trail” shall not prevent a segment of such highway from being additionally designated as a memorial highway.”; and

Further amend said bill, Page 70, Section 306.127, Line 72, by inserting after all of said section and line the following:

“307.015. 1. Trucks, semitrailers, and trailers, except utility trailers, without rear fenders, attached to a commercial motor vehicle registered for over twenty-four thousand pounds shall be equipped with mud flaps for the rear wheels when operated on the public highways of this state. If mud flaps are used, they shall be wide enough to cover the full tread width of the tire or tires being protected; shall be so installed that they extend from the underside of the vehicle body in a vertical plane behind the rear wheels to within twelve inches of the ground for dump trucks and within eight inches of the ground for all other vehicles required to be equipped with mud flaps under this section; and shall be constructed of a rigid material or a flexible material which is of a sufficiently rigid character to provide adequate protection when the vehicle is in motion. No provisions of this section shall apply to a motor vehicle in transit and in process of delivery equipped with temporary mud flaps, to farm implements, or to any vehicle which is not required to be registered.

2. For purposes of this section, “dump truck” means a truck whose contents can be emptied without handling, where the front end of the platform can be hydraulically raised so that the load is discharged by gravity.

3. Any person who violates this section is guilty of an infraction and, upon plea or finding of guilt, shall be punished as provided by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 782, Page 44, Section 301.3176, Line 29, by inserting after all of said section and line the following:

“301.3177. 1. Any vehicle owner may apply for “Negro Leagues Baseball Museum” license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Upon making a ten dollar contribution to the Negro Leagues Baseball Museum, the vehicle owner may apply for the “Negro Leagues Baseball Museum” plate. If the contribution is made directly to the Negro Leagues Baseball Museum, the organization shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the “Negro Leagues Baseball Museum” license plate. If the contribution is made directly to the director of revenue pursuant to section 301.3031, the director shall note the contribution and the owner may then apply for the “Negro Leagues Baseball Museum” plate. The applicant for such plate shall pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of “Negro Leagues Baseball Museum” plates issued pursuant to this section.

Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section. The “Negro Leagues Baseball Museum” plate shall bear the emblem of the Negro Leagues Baseball Museum as prescribed by the director of revenue and shall have the words “NEGRO LEAGUES BASEBALL MUSEUM”. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

2. The director of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1462, regarding Faye Davis, Noel, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 1463, regarding Rita Smith, Jefferson City, which was adopted.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SIXTH DAY—THURSDAY, MAY 14, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HBs 1387 & 1482 (Wallingford)

HB 1386-Murphy, with SCS (Wieland)

HCS for HB 2555, with SCS (O’Laughlin)

HCS for HB 1540, with SCS (O’Laughlin)

(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater	SB 633-Hegeman
SB 524-Sater	SB 636-Wieland
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 639-Riddle
SB 526-Emery, with SCS	SB 640-Onder
SB 529-Cunningham, with SCS	SB 645-Hoskins, with SCS
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 646-Koenig
SB 531-Wallingford, with SS & SA 1 (pending)	SB 647-Koenig, with SCS
SB 537-Libla	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 649-Eigel
SB 539-Libla, with SA 1 (pending)	SB 661-Bernskoetter, with SCS
SB 542-Nasheed, with SCS	SB 665-Burlison
SB 548-Hegeman	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 555-Riddle	SB 674-Brown
SB 557-Schatz, with SCS	SBs 675 & 705-Luetkemeyer, with SCS
SB 558-Schatz, with SCS	SB 677-Luetkemeyer
SB 559-Schatz, with SCS	SB 690-Cunningham
SB 568-Hoskins, with SCS	SB 696-Sifton
SB 572-Rowden	SB 699-Riddle, with SCS
SB 575-Eigel, with SS#2 & SA 2 (pending)	SB 701-Onder
SB 576-Crawford, with SCS	SB 703-Hoskins, with SCS
SB 581-Cierpiot, with SCS	SB 714-Burlison, with SCS
SB 583-Arthur, with SCS	SB 716-Burlison
SB 586-Bernskoetter, with SCS	SB 748-White
SB 590-Burlison, with SCS	SB 756-Sifton, with SCS
SB 592-White	SB 764-Onder, with SCS
SB 595-Hough, with SCS	SB 768-Onder, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS	SB 779-Crawford
SB 605-O'Laughlin, with SCS	SB 780-Hough, with SCS
SB 608-May, with SCS	SB 784-Wallingford
SB 612-Emery, with SCS	SB 797-Wieland, with SCS
SB 613-Emery, with SCS	SB 802-Hegeman
SB 615-Cunningham	SB 809-Brown, with SCS
SB 625-Libla, with SCS	SB 857-Luetkemeyer, with SCS
	SB 885-Walsh

SB 896-Eigel
SB 996-Onder, with SCS
SJR 31-Sater
SJR 32-Sater
SJR 33-Emery, with SCS

SJR 40-Koenig
SJR 44-Eigel
SJRs 48, 41 & 43-Luetkemeyer, with SCS
SJR 59-Eigel
SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)
HB 1559-Remole, with SCS (Hoskins)
HB 1640-Taylor (Bernskoetter)
SS for SCS for HCS for HB 1682 (Sater)
(In Fiscal Oversight)
HCS for HB 1683, with SCS (Wallingford)

HB 1700-Fishel, with SCS, SS for SCS &
SA 1 (pending) (Hough)
HB 1963-Fitzwater, with SCS, SS for SCS,
SA 7 & SA 1 to SA 7 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 552-Wieland, with HCS, as amended
SCS for SB 662-Bernskoetter, with HCS,
as amended

SB 782-Brown, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 551-Wieland, with HCS, as amended
SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 653-Crawford, with HCS,
as amended
(Senate adopted CCR and passed CCS)

HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with
SS# 2 for SCS, as amended (Luetkemeyer)
(House adopted CCR and passed CCS)
HB 1693-Rehder, with SS#2 (Luetkemeyer)
(House adopted CCR and passed CCS)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SIXTH DAY—THURSDAY, MAY 14, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be still and know that I am God!” (Psalm 46:10a)

Gracious Lord, the days left to this session are quickly coming to an end and we must endure the stress and pressure that is upon us. Remind us that the secret You have provided us to survive such a time is that our hope is in knowing You our God. By your word You have taught us that we may know You if we silence our minds and stop the videos in our mind that distract us. May we find moments to be still and let Your calmness and peace come to us. Let the teaching of the desert monks remind us that in such stillness we get to know You, O God. And in knowing You we come to know ourselves better so as to serve You more faithfully and be more loving to those You have given us to serve. So help us Lord put our trust in You and remain faithful through these distressing times. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 1464, regarding Alex Meuret, Wildwood, which was adopted.

Senator Cunningham offered Senate Resolution No. 1465, regarding the Thirtieth Anniversary of D & L Florist, Houston, which was adopted.

Senator Sater offered Senate Resolution No. 1466, regarding Carol Mosley, Shell Knob, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SCS** for **HCS** for **HB 1682**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1682** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 1682** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hough	Koenig	Luetkemeyer	May	Onder	Riddle
Rizzo	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—25			

NAYS—Senators

Burlison	Eigel	Hoskins	Libla	O’Laughlin—5
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause on **SCS** for **HCS** for **HB 1682** was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hough	Koenig	Luetkemeyer	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—24				

NAYS—Senators

Burlison	Eigel	Hoskins	Libla	May	O’Laughlin—6
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The emergency clause on **SA 18** that was adopted in **SS** for **SCS** for **HCS** for **HB 1682** was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Emery
Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May	Onder
Riddle	Rizzo	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—26		

NAYS—Senators

Burlison	Eigel	Libla	O’Laughlin—4
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Brown moved that **HCS** for **SB 782**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 782**, as amended, entitled:

An Act to repeal sections 32.056, 32.300, 68.075, 136.055, 137.115, 143.441, 144.070, 144.805, 227.600, 301.010, 301.030, 301.032, 301.451, 301.560, 301.564, 301.3139, 301.3174, 302.170, 302.171, 302.181, 302.188, 304.170, 304.172, 304.180, 306.127, and 407.1329, RSMo, and to enact in lieu thereof thirty-eight new sections relating to transportation, with delayed effective dates for certain sections.

Was taken up.

Senator Sifton assumed the Chair.

Senator Libla assumed the Chair.

Senator Hough assumed the Chair.

Senator Brown moved that **HCS** for **SB 782**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators

Eigel Emery—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

President Kehoe assumed the Chair.

Senator Nasheed assumed the Chair.

On motion of Senator Brown , **HCS** for **SB 782**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	Nasheed
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

NAYS—Senators

Burlison Eigel Emery—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HCS No. 2** for **HB 1896** and has taken up and passed **SS**

for SCS for **HCS No. 2** for **HB 1896**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 774** with House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 774, Page 1, In the Title, Line 3, by deleting the words “responsibilities of the Missouri state highway patrol” and inserting in lieu thereof the words “public safety”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 774, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“217.850. 1. A person commits the offense of unlawful use of unmanned aircraft over a correctional center if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet over a correctional center’s secure perimeter fence; or

(2) Allows an unmanned aircraft to make contact with a correctional center, including any person or object on the premises of or within the facility.

2. For purposes of this section, “correctional center” shall include:

(1) Any correctional center as defined in section 217.010;

(2) Any private jail as defined in section 221.095; and

(3) Any county or municipal jail.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of the correctional center at the direction of the chief administrative officer of the facility;

(2) A person who has written consent from the chief administrative officer of the facility;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility notifies the correctional center before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the correctional center;

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railroad Administration; or

(7) A person operating an unmanned aircraft pursuant to and in compliance with any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.

4. The offense of unlawful use of unmanned aircraft over a correctional center shall be punishable as an infraction unless the person uses an unmanned aircraft for the purpose of:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of an offender or correctional center employee, in which case the offense is a class B felony;

(2) Facilitating an escape from confinement under section 575.210, in which case the offense is a class C felony; or

(3) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.

5. Each correctional center shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.”; and

Further amend said bill, Page 9, Section 301.564, Line 26, by inserting after all of said section and line the following:

“577.800. 1. A person commits the offense of unlawful use of unmanned aircraft over an open-air facility if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet from the ground and within the property line of an open-air facility; or

(2) Uses an unmanned aircraft with the purpose of delivering to a person within an open-air facility any object described in subdivision (1) or (2) of subsection 4 of this section.

2. For purposes of this section, “open-air facility” shall mean any sports, theater, music, performing arts, or other entertainment facility with a capacity of five thousand people or more and not completely enclosed by a roof or other structure.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of an open-air facility at the direction of the president or chief executive officer of the open-air facility;

(2) A person who has written consent from the president or chief executive officer of the open-air facility;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility

transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility or cooperative notifies the open-air facility before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the open-air facility; or

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railroad Administration.

4. The offense of unlawful use of unmanned aircraft over an open-air facility shall be punishable as a infraction misdemeanor unless the person uses an unmanned aircraft for:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of an employee or guest at an open-air facility, in which case the offense is a class B felony; or

(2) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.

5. Each open-air facility shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.

632.460. 1. A person commits the offense of unlawful use of unmanned aircraft over a mental health hospital if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet over the mental health hospital's property line; or

(2) Uses an unmanned aircraft to deliver to a person confined in a mental health hospital any object described in subdivision (1) or (3) of subsection 6 of this section.

2. For the purposes of subsection 1 of this section, vertical distance extends from ground level.

3. For purposes of this section, "mental health hospital" shall mean a facility operated by the department of mental health to provide inpatient evaluation, treatment, or care to persons suffering from a mental disorder, as defined under section 630.005; mental illness, as defined under section 630.005; or mental abnormality, as defined under section 632.480.

4. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of the mental health hospital at the direction of the chief administrative officer of the mental health hospital;

(2) A person who has written consent from the chief administrative officer of the mental health hospital;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility notifies the mental health hospital before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the mental health hospital;

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railway Administration; or

(7) A person operating an unmanned aircraft pursuant to and in compliance with any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.

5. Each mental health hospital shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.

6. The offense of unlawful use of unmanned aircraft over a mental health hospital shall be punishable as an infraction unless the person uses an unmanned aircraft for the purpose of:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of a patient or mental health hospital employee, in which case the offense is a class B felony;

(2) Facilitating an escape from commitment or detention under section 575.195, in which case the offense is a class C felony; or

(3) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Rowden, the Senate recessed until 1:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Cunningham.

HOUSE BILLS ON THIRD READING

Senator Libla moved that **HB 1963**, with **SS**, **SS** for **SCS**, **SA 7** and **SA 1** to **SA 7** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 to **SA 7** was again taken up.

At the request of Senator Libla, **SS** for **SCS** for **HB 1963** was withdrawn, rendering **SA 7** and **SA 1** to **SA 7** moot.

President Kehoe assumed the Chair.

Senator Libla offered **SS No. 2** for **SCS** for **HB 1963**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1963

An Act to repeal sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030,

301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.170, 302.181, 302.720, 303.026, 303.200, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-seven new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

Senator Libla moved that **SS No. 2** for **SCS** for **HB 1963** be adopted.

Senator O’Laughlin offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1963, Page 17, Section 227.600, Line 25 of said page, by inserting after all of said line the following:

“5. Under no circumstances shall a public right-of-way necessary for the expansion of Interstate 70 be materially impeded by or transferred to a public-private partnership for the purpose of constructing a tube transport system.”.

Senator O’Laughlin moved that the above amendment be adopted, which motion prevailed.

Senator Burlison offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1963, Page 108, Section 301.3176, Line 16, by inserting immediately after all of said line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person’s control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **under eighteen years of age who is** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; **except that, any person eighteen years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director. **No political subdivision of this state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motortricycle. No person shall be stopped, inspected, or detained solely to determine compliance with**

this subsection.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she in addition to maintaining proof of financial responsibility in accordance with chapter 303, is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle or motortricycle.

2. Proof of coverage required by subsection 1 of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator's insurance card.

3. No person shall be stopped, inspected, or detained solely to determine compliance with this section.”; and

Further amend the title and enacting clause accordingly.

Senator Burlison moved that the above amendment be adopted.

At the request of Senator Libla, **HB 1963**, with SCS, SS No. 2 for SCS and SA 2 (pending), was placed on the Informal Calendar.

Senator Hough moved that **HB 1700**, with SCS, SS for SCS and SA 1 (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Hough, SS for SCS for **HB 1700** was withdrawn, rendering **SA 1** moot.

Senator Hough offered SS No. 2 for SCS for **HB 1700**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1700

An Act to repeal sections 32.310, 67.730, 67.1360, 67.2677, 67.2689, 94.838, 94.900, 94.902, 143.011, 144.011, 144.020, 144.049, 144.054, 144.060, 144.080, 144.140, 144.526, 144.605, 144.710, 144.757,

144.759, and 321.552, RSMo, and to enact in lieu thereof thirty-two new sections relating to taxation, with an existing penalty provision, an emergency clause for a certain section, and an effective date for certain sections.

Senator Hough moved that **SS No. 2** for **SCS** for **HB 1700** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1700, Page 29, Section 67.2689, Line 12 of said page, by striking the word “may” and inserting in lieu thereof the following: “**shall**”.

Senator Emery moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Emery offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1700, Page 22, Section 67.1790, Line 16, by inserting after all of said line the following:

“67.1842. 1. In managing the public right-of-way and in imposing fees pursuant to sections 67.1830 to 67.1846, no political subdivision shall:

- (1) Unlawfully discriminate among public utility right-of-way users;
- (2) Grant a preference to any public utility right-of-way user;
- (3) Create or erect any unreasonable requirement for entry to the public right-of-way by public utility right-of-way users;
- (4) Require a telecommunications company to obtain a franchise or **written agreement, other than a permit, or** require a public utility right-of-way user to pay for the use of the public right-of-way, except as provided in sections 67.1830 to 67.1846;
- (5) Enter into a contract or any other agreement for providing for an exclusive use, occupancy or access to any public right-of-way; or
- (6) Require any public utility that has legally been granted access to the political subdivision’s right-of-way to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision.

2. A public utility right-of-way user shall not be required to apply for or obtain right-of-way permits for projects commenced prior to August 28, 2001, requiring excavation within the public right-of-way, for which the user has obtained the required consent of the political subdivision, or that are otherwise lawfully occupying or performing work within the public right-of-way. The public utility right-of-way user may be required to obtain right-of-way permits prior to any excavation work performed within the public right-of-way after August 28, 2001.

3. A political subdivision shall not collect a fee imposed pursuant to section 67.1840 through the provision of in-kind services by a public utility right-of-way user, nor require the provision of in-kind services as a condition of consent to use the political subdivision's public right-of-way; however, nothing in this subsection shall preclude requiring services of a cable television operator, open video system provider or other video programming provider as permitted by federal law.

67.1846. 1. Nothing in sections 67.1830 to 67.1846 relieves the political subdivision of any obligations under an existing franchise agreement in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 will apply to that portion of any ordinance passed prior to May 1, 2001, which establishes a street degradation fee. Nothing in sections 67.1830 to 67.1846 shall be construed as limiting the authority of county highway engineers or relieving public utility right-of-way users from any obligations set forth in chapters 229 to 231. Nothing in sections 67.1830 to 67.1846 shall be deemed to relieve a public utility right-of-way user of the provisions of an existing franchise, franchise fees, license or other agreement or permit in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision or public utility right-of-way user from renewing or entering into a new or existing franchise, as long as all other public utility right-of-way users have use of the public right-of-way on a nondiscriminatory basis. Nothing in sections 67.1830 to 67.1846 shall prevent a grandfathered political subdivision from enacting new ordinances, including amendments of existing ordinances, charging a public utility right-of-way user a fair and reasonable linear foot fee or antenna fee or from enforcing or renewing existing linear foot ordinances for use of the right-of-way, provided that the public utility right-of-way user either:

(1) Is entitled under the ordinance to a credit for any amounts paid as business license taxes, **payments in lieu of taxes for the purposes of right-of-way acquisition**, or gross receipts taxes; or

(2) Is not required by the political subdivision to pay the linear foot fee or antenna fee if the public utility right-of-way user is paying gross receipts taxes, business license fees, or business license taxes that are not nominal and that are imposed specifically on communications-related revenue, services, or equipment.

For purposes of this section, a "grandfathered political subdivision" is any political subdivision which has, prior to May 1, 2001, enacted one or more ordinances reflecting a policy of imposing any linear foot fees on any public utility right-of-way user, including ordinances which were specific to particular public right-of-way users. Any existing ordinance or new ordinance passed by a grandfathered political subdivision providing for payment of the greater of a linear foot fee or a gross receipts tax shall be enforceable only with respect to the linear foot fee.

2. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, renewing or enforcing provisions of an ordinance to require a business license tax, sales tax, occupation tax, franchise tax or franchise fee, property tax or other similar tax, to the extent consistent with federal law. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, enforcing or renewing provisions of an ordinance to require a gross receipts tax pursuant to chapter 66, chapter 92, or chapter 94. For purposes of this subsection, the term "franchise fee" shall mean "franchise tax"; and

Further amend said bill, page 27, section 67.2689, lines 13-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

"2. Beginning August 28, 2023, franchise entities are prohibited from collecting a video service provider fee in excess of five percent of the gross revenues specified in subsection 1 of this section.

Beginning August 28, 2024, franchise entities are prohibited from collecting a video service provider fee in excess of four and one-half percent of such gross revenues. Beginning August 28, 2025, franchise entities are prohibited from collecting a video service provider fee in excess of four percent of such gross revenues. Beginning August 28, 2026, franchise entities are prohibited from collecting a video service provider fee in excess of three and one-half percent of such gross revenues. Beginning August 28, 2027, franchise entities are prohibited from collecting a video service provider fee in excess of three percent of such gross revenues. Beginning August 28, 2028, and continuing thereafter, franchise entities are prohibited from collecting a video service provider fee in excess of two and one-half percent of such gross revenues.”; and

Further amend said bill and section, page 29, line 12 of said page, by striking the word “may” and inserting in lieu thereof the following: **“shall”**; and

Further amend said bill, page 30, section 67.2720, line 3, by striking “and”; and further amend line 6 by inserting immediately after “representatives” the following: “;

(7) A member of the municipal league of metro St. Louis; and

(8) A member of the Missouri municipal league”; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above substitute amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1700, Page 108, Section 321.552, Line 24, by inserting after all of said line the following:

“620.2005. 1. As used in sections 620.2000 to 620.2010, the following terms mean:

(1) “Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) “Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;

(3) “Contractor”, a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely performed job duties within Missouri;

(9) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(10) “Industrial development authority”, an industrial development authority organized under chapter 349 that has entered into a formal written memorandum of understanding with an entity of the United States Department of Defense regarding a qualified military project;

(11) “Infrastructure projects”, highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;

(12) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(13) “Manufacturing capital investment”, expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) “Memorandum of understanding”, an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

a. The maximum amount of tax credits authorized; or

b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(18) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(19) “New payroll”, the amount of wages paid for all new jobs, located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(20) “New product”, a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

(21) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program. The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as

reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(23) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(24) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term “project facility” means the military base or installation at which such qualified military project is or shall be located;

(25) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) “Project facility base payroll”, the annualized payroll for the project facility base employment or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

(k) Biodiesel production; or

(l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(30) “Qualified manufacturing company”, a company that:

(a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);

(b) Manufactures goods at a facility in Missouri;

(c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) “Qualified military project”, the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more **part-time or full-time** military or civilian support personnel:

a. Whose average salaries equal or exceed ninety percent of the county average wage; and

b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit;

(32) “Related company”, shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(35) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company’s commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection or a qualified manufacturing company under subsection 3 of this section, the department shall consider the following factors:

(1) The significance of the qualified company’s need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable;

and

(7) The percent of local incentives committed.

3. (1) The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars not more than three years following the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the department's approval of the original notice of intent.

(2) The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

(3) If, at the project facility at any time during the project period, the qualified manufacturing company discontinues the manufacturing of the new product, or discontinues the modification or expansion of an existing product, and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product, the company shall immediately cease receiving any benefit awarded under this subsection for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this subsection for the remainder of such period.

(4) Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital improvement that qualified for benefits under this section. The provisions of subsection 5 of section 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this section.

4. Upon approval of a notice of intent to receive tax credits under subsection 2, 3, 6, or 7 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment, or the manufacturing capital investment and committed percentage of retained jobs for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department;

(4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under subsection 7 of this section; and

(5) Any other provisions the department may require.

5. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new

jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

6. In addition to the benefits available under subsection 5 of this section, the department may award a qualified company that satisfies the provisions of subsection 5 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

7. In lieu of the benefits available under subsections 1, 2, 5, and 6 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs and new capital investment created by the program, the department may award a qualified company that satisfies the provisions of subdivision (1) of subsection 1 of this section tax credits, issued within one year following the qualified company's acceptance of the department's proposal for benefits, in an amount equal to or less than nine percent of new payroll. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section and the qualified company's commitment to new capital investment and new job creation within the state for a period of not less than ten years. For the purposes of this subsection, each qualified company shall have an average wage of the new payroll that equals or exceeds one hundred percent of the county average wage. Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall expire on June 30, 2025.

8. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment or manufacturing capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first.

9. In lieu of any other benefits under this chapter, the department of economic development may award a tax credit to an industrial development authority for a qualified military project in an amount equal to the estimated withholding taxes associated with the **part-time and full-time** civilian and military new jobs located at the facility and directly impacted by the project. The amount of the tax credit shall be calculated by multiplying:

(1) The average percentage of tax withheld, as provided by the department of revenue to the department of economic development;

(2) The average salaries of the jobs directly created by the qualified military project; and

(3) The number of jobs directly created by the qualified military project.

If the amount of the tax credit represents the least amount necessary to accomplish the qualified military project, the tax credits may be issued, but no tax credits shall be issued for a term longer than fifteen years. No qualified military project shall be eligible for tax credits under this subsection unless the department of economic development determines the qualified military project shall achieve a net positive fiscal impact to the state.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1700, Page 104, Section 144.759, Line 23, by inserting after all of said line the following:

“321.300. 1. The boundaries of any district organized pursuant to the provisions of this chapter may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed may file with the board a petition in writing praying that such real property be included within the district; provided that in the case of a municipality having less than twenty percent of its total population in one fire protection district, the entire remaining portion may be included in another district so that none of the city is outside of a fire protection district at the time. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with

referendums and verified in like manner; provided, however, that in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a fire protection district who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition;

(3) Notwithstanding any provision of law to the contrary, in any fire protection district which is partly or wholly located in a noncharter county of the first classification with a population of less than one hundred thousand which adjoins any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, if such fire protection district serves any portion of a city which is located in both such counties, the boundaries of the district may be expanded so as to include the entire city within the fire protection district, but the boundaries of the district shall not be expanded beyond the city limits of such city, as the boundaries of such city existed on January 1, 1993. Such change in the boundaries of the district shall be accomplished only if twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed file with the board a petition in writing praying that such real property be included within the district. The petition shall describe the property to be included in the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in the district of the property described in the petition; and such petition shall be in substantially the form set forth in section 321.495 dealing with referendums and verified in like manner.

(4) Notwithstanding any provision of law to the contrary, if a fire protection district located in a county with a charter form of government with a population of nine hundred thousand or more inhabitants serves any portion of a city with a charter form of government that has a municipal fire department, the boundaries of the fire protection district may be extended to serve other portions of the city. However, no boundaries shall be extended beyond the city limits of the city, as they existed on July 1, 2020. To extend the fire protection district boundaries, the governing body of the city shall file a written notice of consent with the fire protection district board. If the fire protection district board endorses the notice of consent, the fire protection district board shall petition the circuit court that has jurisdiction over the district to order the extension of the district boundaries to the area described in the notice of consent at an election held for that purpose. The question shall be submitted to the registered voters who reside within the area described in the notice of consent in substantially the following form:

Shall the boundaries of the _____ Fire Protection District be extended to include the following property? (Property description.)

☐ YES

☐ NO

If a majority of the votes cast by the qualified voters voting thereon are in favor of the question, the court shall enter its further order declaring the decree of extension of the fire protection district boundaries to be final and conclusive. If a majority of the votes cast by the qualified voters voting thereon are opposed to the question, the court shall enter its further order declaring the extension of

the fire protection district boundaries to be void and of no effect.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his part to the inclusion of such lands in the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems it for the best interest of the district that some portion of the property in the petition not be included in the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the same with the circuit clerk; and upon the order of the court having jurisdiction over the district, the property shall be included in the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed pursuant to subdivision (1) or subdivision (3) of subsection 2 of this section, the property shall be included in the district subject to the election provided in section 321.301. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.

6. No fire protection district, or employee thereof, in which territory is annexed pursuant to this section shall be required to comply with any prescribed firefighter training program or regimen which would not otherwise apply to the district or its employees, but for the requirements applicable to the annexed territory.”; and

Further amend said bill, page 109, section C, line 8, by inserting after all of said line the following:

“Section D. Because of the importance of protecting the safety of Missouri citizens, the repeal and reenactment of section 321.300 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 321.300 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1700, Page 104, Section 144.759, Line 23, by inserting immediately after all of said line the following:

“253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 10 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 10 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district;

(5) A copy of all land use and building approvals reasonably necessary for the commencement of the project; and

(6) Any other information which the department of economic development may reasonably require to review the project for approval.

Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. (1) In evaluating an application for tax credits submitted under this section, the department of economic development shall also consider:

(a) The amount of projected net fiscal benefit of the project to the state and local municipality, and the period in which the state and municipality would realize such net fiscal benefit;

(b) The overall size and quality of the proposed project, including the estimated number of new jobs to be created by the project, the potential multiplier effect of the project, and similar factors;

(c) The level of economic distress in the area; and

(d) Input from the local elected officials in the local municipality in which the proposed project is located as to the importance of the proposed project to the municipality. For any proposed project in any city not within a county, input from the local elected officials shall include, but shall not be limited to, the president of the board of aldermen.

(2) The provisions of this subsection shall not apply to applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

4. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits. If the department of economic development disapproves an application, the taxpayer shall be notified in writing of the reasons for such disapproval. A disapproved application may be resubmitted.

5. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy.

6. In the event that the department of economic development grants approval for tax credits equal to the total amount available under subsection 2 of section 253.550, or sufficient that when totaled with all other approvals, the amount available under subsection 2 of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

7. All taxpayers with applications receiving approval on or after July 1, 2019, shall submit within sixty days following the award of credits evidence of the capacity of the applicant to finance the costs and expenses for the rehabilitation of the eligible property in the form of a line of credit or letter of commitment subject to the lender's termination for a material adverse change impacting the extension of credit. If the

department of economic development determines that a taxpayer has failed to comply with the requirements under this subsection, then the department shall notify the applicant of such failure and the applicant shall have a thirty-day period from the date of such notice to submit additional evidence to remedy the failure.

8. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within nine months of the date of issuance of the letter from the department of economic development granting the approval for tax credits. “Commencement of rehabilitation” shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the total amount of tax credits, provided under subsection 2 of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

9. (1) To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development which, in consultation with the department of natural resources, shall determine the final amount of eligible rehabilitation costs and expenses and whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. **The department of natural resources shall allow for a third party audit as evidence that the completed rehabilitation meets the qualified rehabilitation standards.**

(2) **Within sixty days of the department’s receipt of all materials required by the department for an application for final approval and issuance of tax credits, the department shall issue to the taxpayer tax credit certificates in the amount of seventy-five percent of the lesser of:**

(a) **The total amount of the tax credits for which the taxpayer is eligible as provided in the taxpayer’s certification of qualified expenses submitted with an application for final approval; or**

(b) **The total amount of tax credits approved for such project under subsection 3 of this section, including any amounts approved in connection with a material change in scope of the project.**

(3) **Within one hundred twenty days of the department’s receipt of all materials required by the department for an application of final approval and issuance of tax credits for a project, the department shall:**

(a) **Make a final determination of the total costs and expenses of rehabilitation and the amount of tax credits to be issued for such costs and expenses;**

(b) **Notify the taxpayer in writing of its final determination; and**

(c) **Issue to the taxpayer tax credit certificates in an amount equal to the remaining amount of tax credits for which such taxpayer is eligible to receive, as determined by the department, but was not**

issued in the initial tax credit issuance under subdivision (2) of this subsection.

(4) If the department determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance under subdivision (2) of this subsection is in excess of the total amount of tax credits such taxpayer is eligible to receive, as determined by the department, the department shall notify such taxpayer and such taxpayer shall repay the department an amount equal to such excess.

(5) For financial institutions credits authorized pursuant to sections 253.550 to [253.561] **253.559** shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

10. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 4 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

11. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Hough, **HB 1700**, with **SCS, SS No. 2** for **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 739**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 631** with House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 631, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“to elections.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 631, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“2.020. As soon as practicable after the laws passed at any session of the general assembly are printed and delivered, the secretary of state shall [cause the original rolls to be bound in a strong and substantial manner and properly labeled, and shall make therein a typewritten index referring to each act and the subject matter of the same and shall] preserve **and make available to the public for inspection** the [volumes thus bound] **original rolls** safely in his **or her** office.

2.110. The secretary of state, as soon as practicable after [the effective date of this section and every four years thereafter if during any such period] any amendments have been adopted, shall [reprint, issue and distribute forty-five thousand] **make available in print and online** copies of the Constitution of the state of Missouri in the form contained in “Report No. 5” of the committee on legislative research, together with the amendments that have been adopted since the preceding publication.”; and

Further amend said bill, Page 2, Section B, Lines 1 - 6, by removing all of said section from the bill and inserting in lieu thereof the following:

“105.459. 1. A committee formed to receive contributions or make expenditures for inaugural activities on behalf of a person elected to serve in a statewide office shall file a statement of organization with the Missouri ethics commission within thirty days after the committee is formed. The statement shall include:

(1) Identification of the major nature of the committee;

(2) The name, mailing address, and telephone number of the chair or treasurer of the committee; and

(3) The anticipated duration of the committee’s existence.

2. The committee shall file disclosure reports with the ethics commission that itemize receipts, expenditures, and indebtedness incurred by the committee. The first disclosure report shall be filed not later than thirty days after the statement of organization is filed. Subsequent disclosure reports shall be filed every three months for the duration of the committee’s existence.

3. The disclosure reports shall also include a separate listing by name, address, and employer, or occupation if self-employed, of each person from whom the committee received one or more contributions, in moneys or other things of value, that in the aggregate total in excess of twenty-five dollars, together with the date and amount of each such contribution. No committee shall accept any contribution without such information.

4. Upon termination of the committee, a termination statement indicating dissolution shall be filed with the ethics commission not later than ten days after the date of dissolution. The termination statement shall include:

(1) The distribution made of any surplus funds and the disposition of any deficits; and

(2) The name, mailing address, and telephone number of the individual who shall preserve the committee’s records and accounts in accordance with subsection 5 of this section.

5. The chair or treasurer of any committee covered by this section shall maintain accurate records

and accounts that shall be maintained in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts, deposit records, cancelled checks, and other detailed information necessary to prepare and substantiate disclosure reports. All records and accounts of receipts and expenditures shall be preserved for at least three years after a termination statement is filed.

6. Any complaint that the provisions of this section are not followed shall be filed with the ethics commission. Such complaints shall be in the form described in section 105.957 and shall be investigated by the ethics commission in accordance with section 105.961.

7. Any person guilty of knowingly violating any of the provisions of this section shall be punished in accordance with section 105.478.

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself **or herself**, his **or her** spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he **or she** does not know and his **or her** spouse will not divulge any information required to be reported by this section concerning the financial interest of his **or her** spouse, shall state on his **or her** financial interest statement that he **or she** has disclosed that information known to him **or her** and that his **or her** spouse has refused or failed to provide other information upon his **or her** bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his **or her** spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he **or she** owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he **or she** was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name

of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his **or her** services to the state or political subdivision other than reimbursement for his **or her** actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the

statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his **or her** employer or income from any source at the time when he **or she** shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his **or her** employer or the terms of an agreement he **or she** has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the

requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.

5. The name and employer of dependent children under twenty-one years of age of each person required to file a financial interest form under this section shall be redacted and not made publicly available, upon the written request of such person to the commission.

6. Nothing in subsection 5 of this section shall be construed to abate the responsibility of reporting the names and employers of dependent children of each person required to file a financial interest form.

115.302. 1. As used in this section, the terms “absent uniformed services voter” and “overseas voter” shall be defined under 52 U.S.C. Section 20310. The term “mail-in-ballot” shall mean any ballot that can be cast by United States mail, other than an absentee ballot.

2. Application for a mail-in-ballot may be made by the applicant in person, or by United States mail, or on behalf of the applicant by his or her guardian or relative within the second degree of consanguinity or affinity.

3. Each application for a mail-in-ballot shall be made to the election authority of the jurisdiction in which the person is registered. Each application shall be in writing and shall state the applicant’s name, address at which he or she is registered, the address to which the ballot is to be mailed, and, in the case of absent uniformed services and overseas applicants, the electronic mail address if electronic transmission is requested.

4. All applications for mail-in-ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed under

section 115.281. No application for a mail-in-ballot received in the office of the election authority after 5:00 p.m. on the second Wednesday immediately prior to the election shall be accepted by any election authority.

5. Each application for a mail-in-ballot shall be signed by the applicant or, if the application is made by a guardian or relative under this section, then the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian, or relative is blind, unable to read or write the English language, or physically incapable of signing the application, he or she shall sign by mark that is witnessed by the signature of an election official or person of his or her choice. Any person who knowingly makes, delivers, or mails a fraudulent mail-in-ballot application shall be guilty of a class one election offense.

6. (1) Notwithstanding any other provision of law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the United States Armed Forces or members of their immediate family living with them may request a mail-in-ballot.

(2) If an election authority rejects an application or request, then the election authority shall provide each absent uniformed services voter and each overseas voter who submits a voter registration application or a mail-in-ballot request with the reasons for the rejection.

(3) Notwithstanding any other provision of law to the contrary, if a standard oath regarding material misstatements of fact is adopted for uniformed and overseas voters under the Help America Vote Act of 2002, then the election authority shall accept such oath for voter registration, mail-in-ballot, or other election-related materials.

(4) Not later than sixty days after the date of each regularly scheduled general election for federal office, each election authority which administered the election shall submit to the secretary of state, in a format prescribed by the secretary, a report on the combined number of mail-in ballots transmitted to, and returned by, absent uniformed services voters and overseas voters for the election. The secretary shall submit to the Election Assistance Commission a combined report of such information not later than ninety days after the date of each regularly scheduled general election for federal office in a format developed by the Commission under the Help America Vote Act of 2002. The secretary shall make the report available to the general public.

7. Except as provided under section 115.914, not later than the sixth Tuesday prior to each election, or within fourteen days after candidate names or questions are certified under section 115.125, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes. As soon as possible after a proper official calls a special state or county election, the election authority shall cause to have printed and made available a sufficient quantity of mail-in ballots, ballot envelopes, and mailing envelopes.

8. Each ballot envelope shall bear a statement on which the voter shall state the voter's name, voting address, and mailing address. On the form, the voter shall also state under penalties of perjury that the voter is qualified to vote in the election, that the voter has personally marked the voter's ballot in secret or supervised the marking of the voter's ballot if the voter is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by the voter or under the voter's supervision if the voter is unable to seal it, and that all information contained in the statement is true. In addition, any person providing assistance to the mail-in voter shall include a statement on the

envelope identifying the person providing such assistance under penalties of perjury. Persons authorized to vote only for federal and statewide offices shall also state their former Missouri residence.

9. The statement for persons voting mail-in ballots who are registered voters shall be in substantially the following form:

State of Missouri

County (City) of _____

I, _____ (print name), a registered voter of _____ County
(City of St. Louis, Kansas City), declare under the penalties
of perjury that: I am qualified to vote at this election; I have
not voted and will not vote other than by this ballot at this
election. I further state that I marked the enclosed ballot in
secret or that I am blind, unable to read or write English, or
physically incapable of marking the ballot, and the person of
my choosing indicated below marked the ballot at my
direction; all of the information on this statement is, to the
best of my knowledge and belief, true.

Signature of Voter

Signature of Person

Assisting Voter

(If applicable)

Subscribed and sworn to before me this _____
day of _____, _____.

Signature of notary or other officer authorized
to administer oaths.

Mailing Addresses

(If different)

10. Upon receipt of a signed application for a mail-in ballot and if satisfied that the applicant is entitled to vote by mail-in ballot, the election authority shall, within three working days after receiving the application, or if mail-in ballots are not available at the time the application is received, within five working days after they become available, deliver to the voter a mail-in ballot, ballot envelope and such instructions as are necessary for the applicant to vote. Delivery shall be made by first class, registered, or certified mail at the discretion of the election authority, or in the case of a covered voter under section 115.902, the method of transmission prescribed under section 115.914. If the election authority is not satisfied that any applicant is entitled to vote by mail-in ballot, the

authority shall not deliver a mail-in ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by mail-in ballot. The applicant may file a complaint with the elections division of the secretary of state's office under section 115.219.

11. On the mailing and ballot envelopes for each covered voter, the election authority shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

12. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with a mail-in ballot.

13. Upon receiving a mail-in ballot by mail, the voter shall mark the ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting a mail-in ballot shall be subscribed and sworn to before the election official receiving the ballot, a notary public, or other officer authorized by law to administer oaths. If the voter is blind, unable to read or write the English language, or physically incapable of voting the ballot, the voter may be assisted by a person of the voter's own choosing. Any person assisting a voter who is not entitled to such assistance, any person who assists a voter and in any manner coerces or initiates a request or suggestion that the voter vote for or against, or refrain from voting on, any question or candidate, shall be guilty of a class one election offense. If, upon counting, challenge, or election contest, it is ascertained that any mail-in ballot was voted with unlawful assistance, the ballot shall be rejected.

14. Each mail-in ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter by United States mail; except that covered voters who are sending ballots from a location determined by the secretary of state to be inaccessible on election day, shall be allowed to return their mail-in ballots cast by use of facsimile transmission or under a program approved by the United States Department of Defense for the electronic transmission of election materials.

15. No election authority shall refuse to accept and process any otherwise valid marked mail-in ballot submitted in any manner by a covered voter solely on the basis of restrictions on envelope type.

16. The secretary of state may prescribe uniform regulations with respect to the printing of ballot envelopes and mailing envelopes, which shall comply with standards established by federal law or postal regulations. Mailing envelopes for use in returning ballots shall be printed with business reply permits so that any ballot returned by mail does not require postage. All fees and costs for establishing and maintaining the business reply and postage-free mail for all ballots cast shall be paid by the secretary of state through state appropriations.

17. All proper votes on each mail-in ballot received by an election authority at or before the time fixed by law for the closing of the polls on election day shall be counted. Except as provided under section 115.920, no votes on any mail-in ballot received by an election authority after the time fixed by law for the closing of the polls on election day shall be counted.

18. If sufficient evidence is shown to an election authority that any mail-in voter has died prior to the opening of the polls on election day, the ballot of the deceased voter shall be rejected if it is still sealed in the ballot envelope. Any such rejected ballot, still sealed in its ballot envelope, shall be sealed

with the application and any other papers connected therewith in an envelope marked “Rejected ballot of , a mail-in voter of voting district”. The reason for rejection shall be noted on the envelope, which shall be kept by the election authority with the other ballots from the election until the ballots are destroyed according to law.

19. As each mail-in ballot is received by the election authority, the election authority shall indicate its receipt on the list.

20. If the statements on any mail-in ballot envelope have not been completed, the mail-in ballot in the envelope shall be rejected.

21. All mail-in ballot envelopes received by the election authority shall be kept together in a safe place and shall not be opened except as provided under this chapter.

22. Mail-in ballots shall be counted using the procedures set out in sections 115.297, 115.299, 115.300, and 115.303.

23. The false execution of a mail-in ballot application shall be a class one election offense. The attorney general or any prosecuting or circuit attorney shall have the authority to prosecute such offense either in the county of residence of the person or in the circuit court of Cole County.

24. If any provision of this section is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

25. This section is enacted notwithstanding any other provision of law including, but not limited to, sections 115.650 to 115.660.

26. The provisions of this section shall apply only to an election that occurs during the year 2020 to avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2.

27. The provisions of this section terminate and shall be repealed on December 31, 2020, and shall not apply to any election conducted after that date.

115.306. 1. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

2. (1) Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware

of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

Candidate's Signature

Printed Name of Candidate

(3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.

(4) Any person who files as a candidate for election to a public office that performs county functions in a city not within a county shall provide appropriate copies of paid tax receipts or no tax due statements for each tax listed in subdivision (1) of this subsection that indicates the person has paid all taxes due and is not delinquent in any tax. If available, the election authority shall utilize online databases to verify the candidate's taxes instead of the paper copies provided by the candidate. The election authority shall review such documentation and the affirmation of tax payments required under subdivision (2) of this subsection. The election authority may file a complaint with the department of revenue if there appears to be any delinquency. In addition to the above review, the election authority shall verify there is no ethics complaint filed under section 105.472 with the Missouri ethics commission for this person. If such a complaint has been filed against such a person, the election authority shall not allow the person's name to be placed on a ballot until the ethics complaint has been resolved. This subdivision shall only apply to a city not within a county's offices that perform county functions.

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing his **or her** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he **or she** seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, [two] **five** hundred dollars if he or she is a candidate for statewide office or for United States senator, [one] **three** hundred dollars if he or she is a candidate for representative in Congress, circuit judge or state senator, and **one hundred** fifty dollars if he or she is a

candidate for state representative;

(2) To the treasurer of the county central committee, [fifty] **one hundred** dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting his **or her** declaration of candidacy, **except that a candidate required to file his or her declaration of candidacy with the secretary of state shall pay the required sum directly to the treasurer of the appropriate party committee.** All sums [so] submitted **to the official accepting the candidate's declaration of candidacy** shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a candidate may have the fee waived by filing a declaration of inability to pay and a petition with his declaration of candidacy. Each such declaration shall be in substantially the following form:

DECLARATION OF INABILITY TO PAY FILING FEE

I, _____, do hereby swear that I am financially unable to pay the fee of _____ (amount of fee) to file as a candidate for nomination to the office of _____ at the primary election to be held on the _____ day of, 20_____.

Signature of candidate

Subscribed and sworn to before me this
_____ day of _____, 20_____.

Residence address

Signature of election official or officer
authorized to administer oaths

If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the election official who witnesses the candidate's declaration of candidacy. If his declaration of candidacy is to be filed by certified mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the notary or other officer who witnesses the candidate's declaration of candidacy. With his declaration of inability to pay, the candidate shall submit a petition endorsing his candidacy. Except for the number of signatures required, each such petition shall, insofar as practicable, be in the form provided in sections 115.321 and 115.325. If the person filing declaration of indigence is to be a candidate for statewide office, his petition shall be signed by the number of registered voters in the state equal to at least one-half of one percent of the total number of votes cast in the state for the office at the last election in which a candidate ran for the office. If the person filing a declaration of indigence is to be a candidate for any other office, the petition shall be signed by the number of registered voters in the district or political

subdivision which is equal to at least one percent of the total number of votes cast for the office at the last election in which a candidate ran for the office. The candidate's declaration of inability to pay and the petition shall be filed at the same time and in the same manner as his declaration of candidacy is filed. The petition shall be checked and its sufficiency determined in the same manner as new party and independent candidate petitions.

4. No filing fee shall be required of any person who proposes to be an independent candidate, the candidate of a new party or a candidate for presidential elector.

5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall be printed on any official ballot until the required fee has been paid.

115.427. 1. Persons seeking to vote in a public election shall establish their identity and eligibility to vote at the polling place, **or, if voting absentee in person under section 115.257, at the office of the election authority**, by presenting a form of personal identification to election officials. No form of personal identification other than the forms listed in this section shall be accepted to establish a voter's qualifications to vote. Forms of personal identification that satisfy the requirements of this section are any one of the following:

(1) Nonexpired Missouri driver's license;

(2) Nonexpired or nonexpiring Missouri nondriver's license;

(3) A document that satisfies all of the following requirements:

(a) The document contains the name of the individual to whom the document was issued, and the name substantially conforms to the most recent signature in the individual's voter registration record;

(b) The document shows a photograph of the individual;

(c) The document includes an expiration date, and the document is not expired, or, if expired, the document expired after the date of the most recent general election; and

(d) The document was issued by the United States or the state of Missouri; or

(4) Any identification containing a photograph of the individual which is issued by the Missouri National Guard, the United States Armed Forces, or the United States Department of Veteran Affairs to a member or former member of the Missouri National Guard or the United States Armed Forces and that is not expired or does not have an expiration date.

2. (1) An individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place [may execute a statement, under penalty of perjury, averring that the individual is the person listed in the precinct register; averring that the individual does not possess a form of personal identification described in subsection 1 of this section; acknowledging that the individual is eligible to receive a Missouri nondriver's license free of charge if desiring it in order to vote; and acknowledging that the individual is required to present a form of personal identification, as described in subsection 1 of this section, in order to vote. Such statement shall be executed and sworn to before the election official receiving the statement. Upon executing such statement, the individual may cast a regular ballot, provided such individual presents one of the following forms of identification:

(a) Identification issued by the state of Missouri, an agency of the state, or a local election authority of

the state;

(b) Identification issued by the United States government or agency thereof;

(c) Identification issued by an institution of higher education, including a university, college, vocational and technical school, located within the state of Missouri;

(d) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that contains the name and address of the individual;

(e) Other identification approved by the secretary of state under rules promulgated pursuant to this section.

(2) For any individual who appears at a polling place without a form of personal identification described in subsection 1 of this section and who is otherwise qualified to vote at that polling place, the election authority may take a picture of such individual and keep it as part of that individual's voter registration file at the election authority.

(3) Any individual who chooses not to execute the statement described in subdivision (1) of this subsection may cast a provisional ballot. Such provisional ballot shall be counted, provided that it meets the requirements of subsection 4 of this section.

(4) For the purposes of this section, the term "election official" shall include any person working under the authority of the election authority.

3. The statement to be used for voting under subdivision (1) of subsection 2 of this section shall be substantially in the following form:

"State of _____

County of _____

I do solemnly swear (or affirm) that my name is _____; that I reside at _____; that I am the person listed in the precinct register under this name and at this address; and that, under penalty of perjury, I do not possess a form of personal identification approved for voting. As a person who does not possess a form of personal identification approved for voting, I acknowledge that I am eligible to receive free of charge a Missouri nondriver's license at any fee office if desiring it in order to vote. I furthermore acknowledge that I am required to present a form of personal identification, as prescribed by law, in order to vote.

I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

Signature of voter

Subscribed and affirmed before me this _____ day of _____, 20_____

Signature of election official"

4. A voter] shall be allowed to cast a provisional ballot [under section 115.430 even if the election judges cannot establish the voter's identity under this section]. The election judges shall make a notation on the provisional ballot envelope to indicate that the voter's identity was not verified.

(2) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope. All provisional ballots shall be marked with a conspicuous stamp or mark that makes them distinguishable from other ballots.

(3) The provisional ballot envelope shall be completed by the voter for use in determining the voter's eligibility to cast a ballot.

3. The provisional ballot envelope shall provide a place for the voter's name, address, date of birth, and last four digits of his or her Social Security number, followed by a certificate in substantially the following form:

I do solemnly swear that I am the person identified above and the information provided is correct. I understand that my vote will not be counted unless:

(1) I return to this polling place today between 6:00 a.m. and 7:00 p.m. and provide one of the following forms of identification:

(a) Nonexpired Missouri driver's license;

(b) Nonexpired or nonexpiring Missouri nondriver's license;

(c) A document that satisfies all of the following requirements:

(i) The document contains my name, in substantially the same form as the most recent signature on my voter registration record;

(ii) The document contains my photograph;

(iii) The document contains an expiration date and the document is not expired, or if expired, the document expired after the date of the most recent general election; and

(iv) The document was issued by the United States or the state of Missouri; or

(d) Identification containing my photograph issued to me by the Missouri National Guard, the United States Armed Forces, or the United States Department of Veteran Affairs as a member or former member of the Missouri National Guard or the United States Armed Forces and that is not expired or does not have an expiration date; or

(2) The election authority verifies my identity by comparing my signature on this envelope to the signature on file with the election authority and determines that I was eligible to cast a ballot at this polling place; and

(3) This provisional ballot otherwise qualifies to be counted under the laws of the state of Missouri.

Signature of Voter

Date

Signatures of Election Officials

Once voted, the provisional ballot shall be sealed in the provisional ballot envelope and deposited in the ballot box.

4. The provisional ballot cast by such voter shall not be counted unless:

(1) (a) The voter returns to the polling place during the uniform polling hours established by section 115.407 and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; or

(b) The election authority verifies the identity of the individual by comparing that individual's signature to the signature on file with the election authority and determines that the individual was eligible to cast a ballot at the polling place where the ballot was cast; and

(2) The provisional ballot otherwise qualifies to be counted under section 115.430.

5. [The secretary of state shall provide advance notice of the personal identification requirements of subsection 1 of this section in a manner calculated to inform the public generally of the requirement for forms of personal identification as provided in this section. Such advance notice shall include, at a minimum, the use of advertisements and public service announcements in print, broadcast television, radio, and cable television media, as well as the posting of information on the opening pages of the official state internet websites of the secretary of state and governor.

6.] (1) Notwithstanding the provisions of section 136.055 and section 302.181 to the contrary, the state and all fee offices shall provide one nondriver's license at no cost to any otherwise qualified voter who does not already possess such identification and who desires the identification [in order to vote] **for voting**.

(2) This state and its agencies shall provide one copy of each of the following, free of charge, if needed by an individual seeking to obtain a form of personal identification described in subsection 1 of this section [in order to vote] **for voting**:

- (a) A birth certificate;
- (b) A marriage license or certificate;
- (c) A divorce decree;
- (d) A certificate of decree of adoption;
- (e) A court order changing the person's name;
- (f) A Social Security card reflecting an updated name; and

(g) Naturalization papers or other documents from the United States Department of State proving citizenship.

Any individual seeking one of the above documents in order to obtain a form of personal identification described in subsection 1 of this section [in order to vote] **for voting** may request the secretary of state to facilitate the acquisition of such documents. The secretary of state shall pay any fee or fees charged by another state or its agencies, or any court of competent jurisdiction in this state or any other state, or the federal government or its agencies, in order to obtain any of the above documents from such state or the federal government.

(3) [All costs associated with the implementation of this section shall be reimbursed from the general revenue of this state by an appropriation for that purpose. If there is not a sufficient appropriation of state funds, then the personal identification requirements of subsection 1 of this section shall not be enforced.

(4)] Any applicant who requests a nondriver's license for [the purpose of] voting shall not be required

to pay a fee [if the applicant executes a statement, under penalty of perjury, averring that the applicant does not have any other form of personal identification that meets the requirements of this section]. The state of Missouri shall pay the legally required fees for any such applicant. [The director of the department of revenue shall design a statement to be used for this purpose. The total cost associated with nondriver's license photo identification under this subsection shall be borne by the state of Missouri from funds appropriated to the department of revenue for that specific purpose.] The department of revenue and a local election authority may enter into a contract that allows the local election authority to assist the department in issuing nondriver's license photo identifications.

[7.] 6. The director of the department of revenue shall, by January first of each year, prepare and deliver to each member of the general assembly a report documenting the number of individuals who have requested and received a nondriver's license photo identification for the purposes of voting under this section. The report shall also include the number of persons requesting a nondriver's license for purposes of voting under this section, but not receiving such license, and the reason for the denial of the nondriver's license.

[8.] 7. The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.

PRECINCT _____

WARD OR TOWNSHIP _____

GENERAL (SPECIAL, PRIMARY) ELECTION Held _____, 20____ Date

I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

[9.] 8. The secretary of state shall promulgate rules to effectuate the provisions of this section.

[10.] 9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

[11.] 10. If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

[12.] 11. This section shall become effective only upon the passage and approval by the voters of a constitutional amendment submitted to them by the general assembly regarding the authorization of photo identification requirements for elections by general law. If such constitutional amendment is approved by the voters, this section shall become effective June 1, 2017.

115.621. 1. Notwithstanding any other provision of this section to the contrary, any legislative, senatorial, or judicial district committee that is wholly contained within a county or a city not within a county may choose to meet on the same day as the respective county or city committee. All other committees shall meet as otherwise prescribed in this section.

2. The members of each county committee shall meet at the county seat not earlier than two weeks after each primary election but in no event later than the third Saturday after each primary election, at the discretion of the chairman at the committee. In each city not within a county, the city committee shall meet on the same day at the city hall. In all counties of the first, second, and third classification, the county courthouse shall be made available for such meetings and any other county political party meeting at no charge to the party committees. In all cities not within a county, the city hall shall be made available for such meetings and any other city political party meeting at no charge to the party committees. At the meeting, each committee shall organize by electing two of its members, a man and a woman, as chair and vice chair, and a man and a woman who may or may not be members of the committee as secretary and treasurer.

3. The members of each congressional district committee shall meet at some place and time within the district, to be designated by the current chair of the committee, not earlier than five weeks after each primary election but in no event later than the sixth Saturday after each primary election. The county courthouse in counties of the first, second and third classification in which the meeting is to take place, as designated by the chair, shall be made available for such meeting and any other congressional district political party committee meeting at no charge to the committee. At the meeting, the committee shall organize by electing one of its members as chair and one of its members as vice chair, one of whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one of whom shall be a woman and one of whom shall be a man, who may or may not be members of the committee.

4. The members of each legislative district committee shall meet at some place and date within the legislative district or within one of the counties in which the legislative district exists, to be designated by the current chair of the committee, not earlier than three weeks after each primary election but in no event later than the fourth Saturday after each primary election. The county courthouse in counties of the first, second and third classification in which the meeting is to take place, as designated by the chair, shall be made available for such meeting and any other legislative district political party committee meeting at no charge to the committee. At the meeting, the committee shall organize by electing two of its members, a man and a woman, as chair and vice chair, and a man and a woman who may or may not be members of the committee as secretary and treasurer.

5. The members of each senatorial district committee shall meet at some place and date within the district, to be designated by the current chair of the committee, if there is one, and if not, by the chair of the congressional district in which the senatorial district is principally located, not earlier than four weeks after each primary election but in no event later than the fifth Saturday after each primary election. The county courthouse in counties of the first, second and third classification in which the meeting is to take place, as so designated pursuant to this subsection, shall be made available for such meeting and any other senatorial district political party committee meeting at no charge to the committee. At the meeting, the committee shall organize by electing one of its members as chair and one of its members as vice chair, one of whom shall be a woman and one of whom shall be a man, and a secretary and a treasurer, one of whom shall be a woman and one of whom shall be a man, who may or may not be members of the committee.

6. The members of each senatorial district shall also meet at some place within the district, to be designated by the current chair of the committee, if there is one, and if not, by the chair of the congressional district in which the senatorial district is principally located, on the Saturday after each general election **or concurrently with the election of senatorial officers, if designated or not objected to by the chair of the congressional district where the senatorial district is principally located.** At the meeting, the committee shall proceed to elect two registered voters of the district, one man and one woman, as members of the party's state committee.

7. The members of each judicial district may meet at some place and date within the judicial district or within one of the counties in which the judicial district exists, to be designated by the current chair of the committee or the chair of the congressional district committee, not earlier than six weeks after each primary election but in no event later than the seventh Saturday after each primary election. The county courthouse in counties of the first, second and third classification in which the meeting is to take place, as so designated pursuant to this subsection, shall be made available for such meeting and any other judicial district political party committee meeting at no charge to the committee. At the meeting, the committee shall organize by electing two of its members, a man and a woman, as chair and vice chair, and a man and a woman who may or may not be members of the committee as secretary and treasurer.

115.631. The following offenses, and any others specifically so described by law, shall be class one election offenses and are deemed felonies connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than five years or by fine of not less than two thousand five hundred dollars but not more than ten thousand dollars or by both such imprisonment and fine:

(1) Willfully and falsely making any certificate, affidavit, or statement required to be made pursuant to any provision of this chapter, including but not limited to statements specifically required to be made "under penalty of perjury"; or in any other manner knowingly furnishing false information to an election authority or election official engaged in any lawful duty or action in such a way as to hinder or mislead the authority or official in the performance of official duties. If an individual willfully and falsely makes any certificate, affidavit, or statement required to be made under section 115.155, including but not limited to statements specifically required to be made "under penalty of perjury", such individual shall be guilty of a class D felony;

(2) Voting more than once or voting at any election knowing that the person is not entitled to vote or that the person has already voted on the same day at another location inside or outside the state of Missouri;

(3) Procuring any person to vote knowing the person is not lawfully entitled to vote or knowingly procuring an illegal vote to be cast at any election;

(4) Applying for a ballot in the name of any other person, whether the name be that of a person living or dead or of a fictitious person, or applying for a ballot in his or her own or any other name after having once voted at the election inside or outside the state of Missouri;

(5) Aiding, abetting or advising another person to vote knowing the person is not legally entitled to vote or knowingly aiding, abetting or advising another person to cast an illegal vote;

(6) An election judge knowingly causing or permitting any ballot to be in the ballot box at the opening of the polls and before the voting commences;

(7) Knowingly furnishing any voter with a false or fraudulent or bogus ballot, or knowingly practicing

any fraud upon a voter to induce him or her to cast a vote which will be rejected, or otherwise defrauding him or her of his or her vote;

(8) An election judge knowingly placing or attempting to place or permitting any ballot, or paper having the semblance of a ballot, to be placed in a ballot box at any election unless the ballot is offered by a qualified voter as provided by law;

(9) Knowingly placing or attempting to place or causing to be placed any false or fraudulent or bogus ballot in a ballot box at any election;

(10) Knowingly removing any legal ballot from a ballot box for the purpose of changing the true and lawful count of any election or in any other manner knowingly changing the true and lawful count of any election;

(11) Knowingly altering, defacing, damaging, destroying or concealing any ballot after it has been voted for the purpose of changing the lawful count of any election;

(12) Knowingly altering, defacing, damaging, destroying or concealing any poll list, report, affidavit, return or certificate for the purpose of changing the lawful count of any election;

(13) On the part of any person authorized to receive, tally or count a poll list, tally sheet or election return, receiving, tallying or counting a poll list, tally sheet or election return the person knows is fraudulent, forged or counterfeit, or knowingly making an incorrect account of any election;

(14) On the part of any person whose duty it is to grant certificates of election, or in any manner declare the result of an election, granting a certificate to a person the person knows is not entitled to receive the certificate, or declaring any election result the person knows is based upon fraudulent, fictitious or illegal votes or returns;

(15) Willfully destroying or damaging any official ballots, whether marked or unmarked, after the ballots have been prepared for use at an election and during the time they are required by law to be preserved in the custody of the election judges or the election authority;

(16) Willfully tampering with, disarranging, altering the information on, defacing, impairing or destroying any voting machine or marking device after the machine or marking device has been prepared for use at an election and during the time it is required by law to remain locked and sealed with intent to impair the functioning of the machine or marking device at an election, mislead any voter at the election, or to destroy or change the count or record of votes on such machine;

(17) Registering to vote knowing the person is not legally entitled to register or registering in the name of another person, whether the name be that of a person living or dead or of a fictitious person;

(18) Procuring any other person to register knowing the person is not legally entitled to register, or aiding, abetting or advising another person to register knowing the person is not legally entitled to register;

(19) Knowingly preparing, altering or substituting any computer program or other counting equipment to give an untrue or unlawful result of an election;

(20) On the part of any person assisting a blind or disabled person to vote, knowingly failing to cast such person's vote as such person directs;

(21) On the part of any registration or election official, permitting any person to register to vote or to vote when such official knows the person is not legally entitled to register or not legally entitled to vote;

(22) On the part of a notary public acting in his or her official capacity, knowingly violating any of the provisions of this chapter or any provision of law pertaining to elections;

(23) Violation of any of the provisions of sections 115.275 to 115.303, or of any provision of law pertaining to absentee voting;

(24) Assisting a person to vote knowing such person is not legally entitled to such assistance, or while assisting a person to vote who is legally entitled to such assistance, in any manner coercing, requesting or suggesting that the voter vote for or against, or refrain from voting on any question, ticket or candidate;

(25) Engaging in any act of violence, destruction of property having a value of five hundred dollars or more, or threatening an act of violence with the intent of denying a person's lawful right to vote or to participate in the election process; [and]

(26) Knowingly providing false information about election procedures for the purpose of preventing any person from going to the polls; **and**

(27) Coercing, intimidating, or pressuring a voter to vote in a certain manner and attempting to verify the result of such acts by obtaining photographic evidence of such voter's ballot.

115.637. The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:

(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he or she intends to vote; or to dispose of the received sample ballot;

(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;

(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;

(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his **or her** duties in making such canvass or willfully neglecting any duties lawfully assigned to him or her;

(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his or her name to any initiative, referendum, or recall petition, or any other petition

circulated pursuant to law;

(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his or her behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;

(9) Any person having in his or her possession any official ballot, except in the performance of his or her duty as an election authority or official, or in the act of exercising his or her individual voting privilege;

(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

(11) On the part of any election judge, being willfully absent from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him or her by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;

(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;

(14) On the part of any voter, except as otherwise provided by law, [allowing his or her ballot to be seen by any person with the intent of letting it be known how he or she is about to vote or has voted, or] knowingly making a false statement as to his or her inability to mark a ballot;

(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;

(16) Interfering, or attempting to interfere, with any voter inside a polling place;

(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;

(18) Exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day inside the building in which a polling place is located or within twenty-five feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by such person, any such election sign or literature located within such distance on such day after request for removal by any person;

(19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on private property, except that this subdivision shall not be construed to interfere with the right of any private property owner to take any action with regard to campaign yard signs on the owner's property and this subdivision shall not be construed to interfere with the right of any candidate, or the candidate's designee, to remove

the candidate's campaign yard sign from the owner's private property after the election day.

115.642. 1. Any person may file a complaint with the secretary of state stating the name of any person who has violated any of the provisions of sections 115.629 to 115.646 and stating the facts of the alleged offense, sworn to, under penalty of perjury.

2. Within thirty days of receiving a complaint, the secretary of state shall notify the person filing the complaint whether or not the secretary has dismissed the complaint or will commence an investigation. The secretary of state shall dismiss frivolous complaints. For purposes of this subsection, "frivolous complaint" shall mean an allegation clearly lacking any basis in fact or law. Any person who makes a frivolous complaint pursuant to this section shall be liable for actual and compensatory damages to the alleged violator for holding the alleged violator before the public in a false light. If reasonable grounds appear that the alleged offense was committed, the secretary of state may issue a probable cause statement. If the secretary of state issues a probable cause statement, he or she may refer the offense to the appropriate prosecuting attorney.

3. Notwithstanding the provisions of section 27.060, 56.060, or 56.430 to the contrary, when requested by the prosecuting attorney or circuit attorney, the secretary of state or his or her authorized representatives may aid any prosecuting attorney or circuit attorney in the commencement and prosecution of election offenses as provided in sections 115.629 to 115.646.

4. (1) The secretary of state may investigate any suspected violation of any of the provisions of sections 115.629 to 115.646.

(2)(a) The secretary of state or an authorized representative of the secretary of state shall have the power to require the production of books, papers, correspondence, memoranda, contracts, agreements, and other records by subpoena or otherwise when necessary to conduct an investigation under this section. Such powers shall be exercised only at the specific written direction of the secretary of state or his or her chief deputy;

(b) If any person refuses to comply with a subpoena issued under this subsection, the secretary of state may seek to enforce the subpoena before a court of competent jurisdiction to require the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. The court may issue an order requiring the person to produce records relating to the matter under investigation or in question. Any person who fails to comply with the order may be held in contempt of court;

(c) The provisions of this subdivision shall expire on August 28, 2025.

115.761. 1. The official list of presidential candidates for each established political party shall include the names of all constitutionally qualified candidates for whom, on or after 8:00 a.m. on the fifteenth Tuesday prior to the presidential primary, and on or before 5:00 p.m., on the eleventh Tuesday prior to the presidential primary, a written request to be included on the presidential primary ballot is filed with the secretary of state along with:

(1) Receipt of payment to the state committee of the established political party on whose ballot the candidate wishes to appear of a filing fee of [one] five thousand dollars; or

(2) A written statement, sworn to before an officer authorized by law to administer oaths, that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or committee to pay

the filing fee and a petition signed by not less than five thousand registered Missouri voters, as determined by the secretary of state, that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall include each signer's printed name, registered address and signature and shall be in substantially the following form:

I (We) the undersigned, do hereby request that the name of be placed upon the February _____, _____, presidential primary ballot as candidate for nomination as the nominee for President of the United States on the party ticket.

2. The state or national party organization of an established political party that adopts rules imposing signature requirements to be met before a candidate can be listed as an official candidate shall notify the secretary of state by October first of the year preceding the presidential primary.

3. Any candidate or such candidate's authorized representative may have such candidate's name stricken from the presidential primary ballot by filing with the secretary of state on or before 5:00 p.m. on the eleventh Tuesday prior to the presidential primary election a written statement, sworn to before an officer authorized by law to administer oaths, requesting that such candidate's name not be printed on the official primary ballot. Thereafter, the secretary of state shall not include the name of that candidate in the official list announced pursuant to section 115.758 or in the certified list of candidates transmitted pursuant to section 115.765.

4. The filing times set out in this section shall only apply to presidential preference primaries, and are in lieu of those established in section 115.349.

116.030. The following shall be substantially the form of each page of referendum petitions on any law passed by the general assembly of the state of Missouri:

County _____

Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **558.002**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

PETITION FOR REFERENDUM

To the Honorable _____, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or City of St. Louis), respectfully order that the Senate (or House) Bill No. entitled (title of law), passed by the _____ general assembly of the state of Missouri, at the regular (or special) session of the general assembly, shall be referred to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the _____ day of _____, _____, unless the general assembly shall designate another date, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting

address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot title) _____

CIRCULATOR'S AFFIDAVIT

State Of Missouri,

County Of _____

I, _____, being first duly sworn, say (print or type names of signers)

NAME	DATE	REGISTERED ZIP	CO
NG. NAME	SIGNED	VOTING	CODE DIST.

ADDRESS

(Street)

(Printed

(Signature)

or Typed)

(City,

Town or

Village)

(Here follow numbered lines for signers)

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County. FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _____

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires _____

If this form is followed substantially and the requirements of [section] **sections 116.045**, 116.050, and [section] 116.080 are met, it shall be sufficient, disregarding clerical and merely technical errors.

116.040. The following shall be substantially the form of each page of each petition for any law or amendment to the Constitution of the state of Missouri proposed by the initiative:

County _____

Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **558.021**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable _____, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or City of St. Louis), respectfully order that the following proposed law (or amendment to the constitution) shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the _____ day of _____, _____, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot title) _____

CIRCULATOR'S AFFIDAVIT

State Of Missouri,

County Of _____

I, _____, being first duly sworn, say (print or type names of signers)

NAME	DATE	REGISTERED ZIP	CO
NG. NAME			
	SIGNED	VOTING	CODE DIST.
		ADDRESS	
		(Street)	
	(Printed		
(Signature)	or Typed)	(City,	
Town or		Village)	

(Here follow numbered lines for signers)

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer _____

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _____

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires _____

If this form is followed substantially and the requirements of [section] **sections 116.045**, 116.050, and [section] 116.080 are met, it shall be sufficient, disregarding clerical and merely technical errors.

116.045. Initiative and referendum petition signature pages shall be printed on a form prescribed by the secretary of state, which shall include all of the information and statements set forth in section 116.030 or 116.040, as applicable, and comply with section 116.050. The form shall be made available in electronic format for printing and circulating petitions.

116.050. 1. Initiative and referendum petitions filed under the provisions of this chapter shall consist of pages of a uniform size. Each page, excluding the text of the measure, shall be no larger than eight and one-half by fourteen inches. **The text of the proposed measure shall be in a font that is not smaller than twelve-point Times New Roman and have top, bottom, left, and right margins of no less than one inch. Page numbers may appear in the bottom margin.** Each page of an initiative petition shall be attached to or shall contain a full and correct text of the proposed measure. Each page of a referendum petition shall be attached to or shall contain a full and correct text of the measure on which the referendum is sought.

2. **The secretary of state shall collect an initiative and referendum petition filing fee of five hundred dollars for each petition sample sheet filed. An additional filing fee of twenty-five dollars shall be collected for each page of text of the measure in excess of two pages. The filing fee shall be deposited in the state treasury and credited to the secretary of state's petition publication fund established under section 116.270. The filing fee shall be refunded from the fund to the person designated as the recipient of notices under section 116.332 if the initiative or referendum petition is certified under section 116.150. The secretary of state shall reject any petition sample sheet that is not accompanied by the required fee.**

3. The full and correct text of all initiative and referendum petition measures shall:

(1) Contain all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined;

(2) Include all sections of existing law or of the constitution which would be repealed by the measure; and

(3) Otherwise conform to the provisions of Article III, [Section] **Sections 28**, [and Article III, Section] **49, 50, 51, and 52(a)** of the Constitution of Missouri and those of this chapter.

4. **The full and correct text of all initiative petition measures shall not purport to:**

(1) **Declare any federal statute, regulation, executive order, or court decision to be void or in violation of the Constitution of the United States;**

(2) **Amend any federal law or the Constitution of the United States; or**

(3) **Accomplish an act that the Constitution of the United States requires to be accomplished by the general assembly.**

116.130. 1. The secretary of state may send copies of petition pages to election authorities to verify that the persons whose names are listed as signers to the petition are registered voters. Such verification may either be of each signature or by random sampling as provided in section 116.120, as the secretary shall direct. If copies of the petition pages are sent to an election authority for verification, such copies shall be sent pursuant to the following schedule:

(1) Copies of all pages from not less than one petition shall be received in the office of the election authority not later than two weeks after the petition is filed in the office of secretary of state;

(2) Copies of all pages of a total of three petitions shall be received in the office of the election authority not later than three weeks after the petition is filed in the office of the secretary of state;

(3) If more than three petitions are filed, all copies of petition pages, including those petitions selected for verification by random sample pursuant to section 116.120, shall be received in the office of the election authority not later than the fourth week after the petition is filed in the office of the secretary of state. Each election authority shall check the signatures against voter registration records in the election authority's jurisdiction, but the election authority shall count as valid only the signatures of persons registered as voters in the county named in the circulator's affidavit. Signatures shall not be counted as valid if they have been struck through or crossed out. **Signatures not in black or blue ink shall be counted as invalid without verification.**

2. If the election authority is requested to verify the petition by random sampling, such verification shall be completed and certified not later than thirty days from the date that the election authority receives the petition from the secretary of state. If the election authority is to verify each signature, such verification [must] **shall** be completed, certified and delivered to the secretary of state by 5:00 p.m. on the last Tuesday in July prior to the election, or in the event of complete verification of signatures after a failed random sample, full verification shall be completed, certified and delivered to the secretary of state by 5:00 p.m. on the last Tuesday in July or by 5:00 p.m. on the Friday of the fifth week after receipt of the signatures by the local election authority, whichever is later.

3. If the election authority or the secretary of state determines that the congressional district number written after the signature of any voter is not the congressional district of which the voter is a resident, the election authority or the secretary of state shall correct the congressional district number on the petition page. Failure of a voter to give the voter's correct congressional district number shall not by itself be grounds for not counting the voter's signature.

4. The election authority shall return the copies of the petition pages to the secretary of state with annotations regarding any invalid or questionable signatures which the election authority has been asked to check by the secretary of state. The election authority shall verify the number of pages received for that county, and also certify the total number of valid signatures of voters from each congressional district which the election authority has been asked to check by the secretary of state.

5. The secretary of state is authorized to adopt rules to ensure uniform, complete, and accurate checking of petition signatures either by actual count or random sampling. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

6. After a period of three years from the time of submission of the petitions to the secretary of state, the secretary of state, if the secretary determines that retention of such petitions is no longer necessary, may destroy such petitions.

116.160. 1. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, after receipt of such resolution or bill the secretary of state shall promptly forward the resolution or bill to the state auditor. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without an

official summary statement, which is to be referred to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure as the proposed summary statement. The secretary of state may seek the advice of the legislator who introduced the constitutional amendment or bill and the speaker of the house or the president pro tem of the legislative chamber that originated the measure. The summary statement may be distinct from the legislative title of the proposed constitutional amendment or bill. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. The official summary statement shall contain no more than **one hundred** fifty words[, excluding articles]. The title shall be a true and impartial statement of the purposes of the proposed measure in language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.

116.230. 1. The secretary of state shall prepare sample ballots in the following form.

2. The top of the ballot shall read:

“OFFICIAL BALLOT STATE OF MISSOURI”

3. When constitutional amendments are submitted, the first heading shall read:

“CONSTITUTIONAL AMENDMENTS”

There shall follow the numbers assigned under section 116.210 the official ballot titles prepared under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170. Constitutional amendments proposed by the general assembly shall be designated as “Proposed by the general assembly”. Constitutional amendments proposed by initiative petition shall be designated “Proposed by initiative petition”. Constitutional amendments proposed by constitutional convention shall be designated as “Proposed by constitutional convention”.

4. When statutory measures are submitted, the next heading shall read:

“STATUTORY MEASURES”

There shall follow the letters assigned under section 116.220, the official ballot titles prepared under section 116.160 or 116.334, and the fiscal note summaries prepared under section 116.170. Statutory initiative measures shall be designated “Proposed by initiative petition”. Referendum measures shall be designated “Referendum ordered by petition”.

5. Immediately following the official ballot title, words “Shall the measure summarized be approved?” shall appear with the options to vote “yes” or “no”.

116.270. 1. There is hereby created a “**Secretary of State’s Petition** Publications Fund”, which shall [be used only to pay printing, publication, and other expenses incurred in submitting statewide ballot measures to the voters.

2. The secretary of state shall certify to the commissioner of administration all valid claims for payment from the publications fund. On receiving the certified claims, the commissioner of administration shall issue warrants on the state treasurer payable to each individual out of the publications fund.] **consist of moneys collected under section 116.150. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the secretary of state for the purpose**

of making refunds as set forth in section 116.150 and to pay publication expenses incurred in submitting statewide ballot measures to the voters. Any balance in the fund shall be used for the purposes set forth herein before using an appropriation from the general revenue for the same purpose.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition, or a referendum petition may be circulated for signatures, a sample sheet [must] **shall** be submitted to the secretary of state in the form in which it will be circulated. **Sample initiative petition sheets shall be filed no earlier than twelve weeks following a general election.** When a person submits a sample sheet of a petition he or she shall designate to the secretary of state the name and address of the person to whom any notices shall be sent pursuant to sections 116.140 and 116.180 and, if a committee or person, except the individual submitting the sample sheet, is funding any portion of the drafting or submitting of the sample sheet, the person submitting the sample sheet shall submit a copy of the filed statement of committee organization required under subsection 5 of section 130.021 showing the date the statement was filed. The secretary of state shall refer a copy of the petition sheet to the attorney general for his approval and to the state auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of state and attorney general [must] **shall** each review the petition for [sufficiency as to form] **compliance with section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution of Missouri** and approve or reject [the form of] the petition, stating the reasons for rejection, if any.

2. Within two business days of receipt of any such sample sheet, the office of the secretary of state shall conspicuously post on its website the text of the proposed measure, a disclaimer stating that such text may not constitute the full and correct text as required under section 116.050, and the name of the person or organization submitting the sample sheet. The secretary of state's failure to comply with such posting shall be considered a violation of chapter 610 and subject to the penalties provided under subsection 3 of section 610.027. The posting shall be removed within three days of either the withdrawal of the petition under section 116.115 or the rejection for any reason of the petition.

3. Upon receipt of a petition from the office of the secretary of state, the attorney general shall examine the petition [as to form] **and determine whether it complies with section 116.050 and Article III, Sections 28, 49, 50, 51, and 52(a) of the Constitution of Missouri.** If the petition is rejected [as to form], the attorney general shall forward his or her comments to the secretary of state within ten days after receipt of the petition by the attorney general. If the petition is approved [as to form], the attorney general shall forward his or her approval [as to form] to the secretary of state within ten days after receipt of the petition by the attorney general.

4. The secretary of state shall review the comments and statements of the attorney general [as to form] and make a final decision as to the approval or rejection [of the form] of the petition. The secretary of state shall send written notice to the person who submitted the petition sheet of the approval within fifteen days after submission of the petition sheet. The secretary of state shall send written notice if the petition has been rejected, together with reasons for rejection, within fifteen days after submission of the petition sheet.

116.334. 1. If the petition [form] is approved **under section 116.332**, the secretary of state shall make

a copy of the sample petition available on the secretary of state's website. For a period of fifteen days after the petition is approved [as to form] **under section 116.332**, the secretary of state shall accept public comments regarding the proposed measure and provide copies of such comments upon request. Within twenty-three days of receipt of such approval, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure which shall be a concise statement not exceeding one hundred **fifty** words. This statement shall [be in the form of a question using] **use** language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. Signatures obtained prior to the date the official ballot title is certified by the secretary of state shall not be counted. **If a court orders a change that substantially alters the content of the official ballot title under subsection 4 of section 116.190, then all signatures gathered before such change occurred shall be invalidated, regardless of whether those signatures were gathered on petition pages that displayed what was previously the official ballot title as certified by the secretary of state.**

3. Signatures for statutory initiative petitions shall be filed not later than six months prior to the general election during which the petition's ballot measure is submitted for a vote, and shall also be collected not earlier than the day after the day upon which the previous general election was held.

238.216. 1. Except as otherwise provided in section 238.220 with respect to the election of directors, in order to call any election required or allowed under sections 238.200 to 238.275, the circuit court shall:

(1) Order the county clerk to cause the questions to appear on the ballot on the next regularly scheduled general, primary or special election day, which date shall be the same in each county or portion of a county included within and voting upon the proposed district;

(2) If the election is to be a mail-in election, specify a date on which ballots for the election shall be mailed, which date shall be a Tuesday, and shall be not earlier than the eighth Tuesday from the issuance of the order, and shall not be on the same day as an election conducted under the provisions of chapter 115; or

(3) If all the owners of property in the district joined in the petition for formation of the district, such owners may cast their ballot by unanimous verified petition approving any measure submitted to them as voters pursuant to this chapter. Each owner shall receive one vote per acre owned. Fractional votes shall be allowed. The verified petition shall be filed with the circuit court clerk. The filing of a unanimous petition shall constitute an election under sections 238.200 to 238.275 and the results of said election shall be entered pursuant to subsection 6 of this section.

2. In the case of an election by mail-in ballot where the qualified voters are the real property owners under subsection 2 of section 238.220, application for a ballot shall be [conducted as follows] required, and such application process shall be:

(1) Only qualified voters shall be entitled to apply for a ballot;

(2) Such persons shall apply with the clerk of the circuit court in which the petition was filed;

(3) Each person applying shall provide:

(a) Such person's name, address, mailing address, and phone number;

(b) An authorized signature; and

(c) Evidence that such person is entitled to vote. Such evidence **for owners of real property** shall be[

a. For resident individuals, proof of registration from the election authority;

b. For owners of real property,] a tax receipt or deed or other document which evidences ownership, and identifies the real property by location;

(4) No person shall apply later than the fourth Tuesday before the date for mailing ballots specified in the circuit court's order.

3. [If the election is to be a mail in election] **In the case of an election by mail-in ballot where the qualified voters are registered voters, the qualified voters shall not have to apply for ballots but shall be issued a ballot as follows:**

(1) Only qualified voters, who are registered on the forty-fifth day prior to the date set by the circuit court for the mailing of ballots, shall be entitled to be mailed a ballot; and

(2) No later than the fourth Tuesday before the date for mailing ballots specified in the circuit court's order, the election authority shall provide the circuit court with the names and addresses of all registered voters within the proposed transportation development district according to the records of the election authority on the forty-fifth day prior to the date set by the circuit court for the mailing of ballots.

4. In the case of an election by mail-in ballot where the qualified voters are the real property owners under subsection 2 of section 238.220, the circuit court shall mail a ballot to each qualified voter who applied for a ballot pursuant to subsection 2 of this section along with a return addressed envelope directed to the circuit court clerk's office with a sworn affidavit on the reverse side of such envelope for the voter's signature. Such affidavit shall be in the following form:

I hereby declare under penalties of perjury that I am qualified to vote, or to affix my authorized signature in the name of an entity which is entitled to vote, in this election.

Subscribed and sworn to before me this _____ day of _____, 20_____

Authorized Signature

Printed Name of Voter

Signature of notary or other officer authorized to administer oaths.

Mailing Address of Voter (if different)

5. In the case of an election by mail-in ballot where the qualified voters are registered voters, the circuit court shall mail a ballot to each qualified voter whose name was provided by the election authority under subsection 3 of this section along with a return envelope addressed to the circuit court

clerk's office.

6. The return identification envelope shall contain an affidavit that is substantially the following form:

PLEASE PRINT:

NAME: _____

I declare under penalty of perjury, a felony, that I am a qualified voter for this election as shown on voter registration records and that I have voted the enclosed ballot and am returning it in compliance with section 238.216, RSMo, and have not and will not vote more than one ballot in this election.

I also understand that failure to complete the information below will invalidate my ballot.

Signature

Residence Address

Mailing Address (if different)

7. Upon receipt of the ballot, the voter shall mark it, place and seal the marked ballot in the secrecy envelope supplied with the ballot, place and seal the secrecy envelope containing the marked ballot in the return identification envelope supplied with the ballot that has been signed by the voter, and return the marked ballot to the circuit court, no later than the date required under subsection 11 of this section, by United States mail or by personally delivering the ballot to the circuit court.

8. The circuit court may provide additional sites for return delivery of ballots. The circuit court may, in its discretion, provide for the prepayment of postage on the return ballots.

9. Any costs incurred by the circuit court in the administration of an election under this section shall be paid by the petitioners.

[4.] **10.** Except as otherwise provided in subsection 2 of section 238.220, with respect to the election of directors, each qualified voter shall have one vote, unless the qualified voters are property owners under subdivision (2) of subsection 2 of section 238.202, in which case they shall receive one vote per acre. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. Each voted ballot shall be signed with the authorized signature.

[5.] **11.** Mail-in voted ballots shall be returned to the circuit court clerk's office by mail or hand delivery or to a site provided for receipt of ballots by the circuit court, and in any case received no later than 5:00 p.m. on the sixth Tuesday after the date for mailing the ballots as set forth in the circuit court's order. The circuit court's clerk shall transmit all voted ballots to a team of judges of not less than four, with an

equal number from each of the two major political parties. The judges shall be selected by the circuit court from lists compiled by the election authority. Upon receipt of the voted ballots, the judges shall verify the authenticity of the ballots, canvass the votes, and certify the results. Certification by the election judges shall be final and shall be immediately transmitted to the circuit court. Any qualified voter who voted in such election may contest the result in the same manner as provided in chapter 115.

[6.] 12. The results of the election shall be entered upon the records of the circuit court of the county in which the petition was filed. Also, a certified copy thereof shall be filed with the county clerk of each county in which a portion of the proposed district lies, who shall cause the same to be spread upon the records of the county commission.

347.740. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

351.127. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter, provided that the secretary of state may collect an additional fee of ten dollars on each corporate registration report fee filed under section 351.122. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

400.9-528. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2021] **2026**.

Section B. Because of the need to provide certainty for state employees who wish to participate as candidates in the 2020 election cycle, the repeal and reenactment of section 36.155 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety and is

hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 36.155 of section A of this act shall be in full force and effect upon its passage and approval.

Section C. Because immediate action is necessary to ensure citizens can safely exercise the right to vote and avoid the risk of contracting or transmitting severe acute respiratory syndrome coronavirus 2, the enactment of section 115.302 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 115.302 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 631, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“27.010. The attorney general for the state of Missouri shall be elected at each general election at which a governor and other state officers are elected, and his term shall begin at 12:00 noon on the second Monday in January next succeeding his election, and shall continue for four years, or until his successor is elected and qualified. The attorney general shall [reside at the seat of government and] keep his office in the supreme court building, and receive an annual salary of sixty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005, payable out of the state treasury. The salary shall constitute the total compensation for all duties to be performed by him and there shall be no further payments made to or accepted by him for the performance of any duty now required of him under any existing law. The attorney general shall devote his full time to his office, and, except in the performance of his official duties, shall not engage in the practice of law.”; and

Further amend said bill, Page 2, Section 36.155, Line 21, by inserting after all of said section and line the following:

“51.050. No person shall be elected or appointed clerk of the county commission unless such person be a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the county for which the person is elected one year just prior to such person’s election; and every clerk shall after the election continue to reside within the county for which such person is clerk.

55.060. No person shall be elected or appointed county auditor of a county of the first class not having a charter form of government or of a county of the second class unless he **or she** is a citizen of the United States [above the age of twenty-one years], **twenty-one years of age or older**, and has resided within the state for one whole year and within the county for which he **or she** is elected or appointed for three months immediately preceding the election or his **or her** appointment. He **or she** shall also be a person familiar with the theory and practice of accounting by education, training, and experience and able to perform the duties imposed upon the county auditor by the provisions of this chapter. The county auditor shall, after his **or her** appointment or election, reside in the county for which he **or she** is auditor.

58.030. No person shall be elected or appointed to the office of coroner unless he **or she** be a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the county for which he **or she** is elected, six months

next preceding the election.

60.010. 1. At the regular general election in the year 1948, and every four years thereafter, the voters of each county of this state in counties of the second, third, and fourth classification shall elect a registered land surveyor as county surveyor, who shall hold office for four years and until a successor is duly elected, commissioned and qualified. The person elected shall be commissioned by the governor.

2. No person shall be elected or appointed surveyor unless such person is a citizen of the United States, [over the age of twenty-one years] **twenty-one years of age or older**, a registered land surveyor, and shall have resided within the state one whole year. An elected surveyor shall have resided within the county for which the person is elected six months immediately prior to election and shall after election continue to reside within the county for which the person is surveyor. An appointed surveyor need not reside within the county for which the person is surveyor.

3. Notwithstanding the provisions of subsection 1 of this section, or any other law to the contrary, the county commission of any county of the third or fourth classification may appoint a surveyor following the deadline for filing for the office of surveyor, if no qualified candidate files for the office in the general election in which the office would have been on the ballot, provided that the notice required by section 115.345 has been published in at least one newspaper of general circulation in the county. The appointed surveyor shall serve at the pleasure of the county commission, however, an appointed surveyor shall forfeit said office once a qualified individual, who has been duly elected at a regularly scheduled general election where the office of surveyor is on the ballot and who has been commissioned by the governor, takes office. The county commission shall fix appropriate compensation, which need not be equal to that of an elected surveyor.

77.230. No person shall be mayor unless he be at least [thirty] **twenty-one** years of age, a citizen of the United States and a resident of such city at the time of and for two years next preceding his election. When two or more persons shall have an equal number of votes for the office of mayor, the matter shall be determined by the council.

79.080. No person shall be mayor unless he be at least [twenty-five] **twenty-one** years of age, a citizen of the United States and a resident of the city at the time of and for at least one year next preceding his election.

105.035. No person shall be appointed to an elected public office in the state of Missouri who is delinquent in the payment of state income tax, personal property tax, municipal tax, or real property tax on the person's place of residence. A candidate for such appointed public office shall provide the appointing authority thereof with a signed and notarized affidavit stating that all state income taxes and property taxes, both personal property and real property, have been paid or the fact that no taxes were owed for the two fiscal years immediately prior to the filing deadline for the requisite elective public office.

115.357. 1. Except as provided in subsections 3 and 4 of this section, each candidate for federal, state or county office shall, before filing his **or her** declaration of candidacy, pay to the treasurer of the state or county committee of the political party upon whose ticket he **or she** seeks nomination a certain sum of money as follows:

(1) To the treasurer of the state central committee, two hundred dollars if he or she is a candidate for statewide office or for United States senator, one hundred dollars if he or she is a candidate for

representative in Congress, circuit judge or state senator, and fifty dollars if he or she is a candidate for state representative;

(2) To the treasurer of the county central committee, fifty dollars if he or she is a candidate for county office.

2. The required sum may be submitted by the candidate to the official accepting his **or her** declaration of candidacy. All sums so submitted shall be forwarded promptly by the official to the treasurer of the appropriate party committee.

3. Any person who cannot pay the fee required to file as a candidate may have the fee waived by filing a declaration of inability to pay and a petition with his **or her** declaration of candidacy. Each such declaration shall be in substantially the following form:

DECLARATION OF INABILITY TO PAY FILING FEE

I, _____, do hereby swear that I am financially unable to pay the fee of _____ (amount of fee) to file as a candidate for nomination to the office of _____ at the primary election to be held on the _____ day of _____, 20____.

Signature of candidate Subscribed and sworn
to before me this

_____ day of
_____, 20_____.

Residence address

Signature of election

official or officer
authorized to
administer oaths

If the candidate's declaration of candidacy is to be filed in person, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the election official who witnesses the candidate's declaration of candidacy. If his **or her** declaration of candidacy is to be filed by certified mail pursuant to subsection 2 of section 115.355, the declaration of inability to pay shall be subscribed and sworn to by the candidate before the notary or other officer who witnesses the candidate's declaration of candidacy. With his **or her** declaration of inability to pay, the candidate shall submit a petition endorsing his **or her** candidacy. Except for the number of signatures required, each such petition shall, insofar as practicable, be in the form provided in sections 115.321 and 115.325. If the person filing declaration of indigence is to be a candidate for statewide office, his **or her** petition shall be signed by the number of registered voters in the state equal to at least one-half of one percent of the total number of votes cast in the state for the office at the last election in which a candidate ran for the office. If the person filing a declaration of indigence is to be a candidate for any other office, the petition shall be signed by the number of registered voters in the district or political subdivision which is equal to at least one percent of the total number of votes cast for the office at the last election in which a candidate ran for the office. The candidate's declaration of inability

to pay and the petition shall be filed at the same time and in the same manner as his **or her** declaration of candidacy is filed. The petition shall be checked and its sufficiency determined in the same manner as new party and independent candidate petitions.

4. No filing fee shall be required of any person who proposes to be an independent candidate, the candidate of a new party or a candidate for presidential elector.

5. Except as provided in subsections 3 and 4 of this section, no candidate's name shall be printed on any official ballot until the required fee has been paid.

162.291. The voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in this state for one year next preceding their election or appointment, and who are [at least twenty-four years of age] **twenty-one years of age or older**.

190.050. 1. After the ambulance district has been declared organized, the declaring county commission, except in counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, shall divide the district into six election districts as equal in population as possible, and shall by lot number the districts from one to six inclusive. The county commission shall cause an election to be held in the ambulance district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for one director from the ambulance election district in which the voter resides. The directors elected from districts one and four shall serve for a term of one year, the directors elected from districts two and five shall serve for a term of two years, and the directors from districts three and six shall serve for a term of three years; thereafter, the terms of all directors shall be three years. All directors shall serve the term to which they were elected or appointed, and until their successors are elected and qualified, except in cases of resignation or disqualification. The county commission shall reapportion the ambulance districts within sixty days after the population of the county is reported to the governor for each decennial census of the United States. Notwithstanding any other provision of law, if the number of candidates for the office of director is no greater than the number of directors to be elected, no election shall be held, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they have been elected.

2. In all counties of the second class having more than one hundred five thousand inhabitants located adjacent to a county of the first class having a charter form of government which has a population of over nine hundred thousand inhabitants, the voters shall vote for six directors elected at large from within the district for a term of three years. Those directors holding office in any district in such a county on August 13, 1976, shall continue to hold office until the expiration of their terms, and their successors shall be elected from the district at large for a term of three years. In any district formed in such counties after August 13, 1976, the governing body of the county shall cause an election to be held in that district within ninety days after the order establishing the ambulance district to elect ambulance district directors. Each voter shall vote for six directors. The two candidates receiving the highest number of votes at such election shall be elected for a term of three years, the two candidates receiving the third and fourth highest number of votes shall be elected for a term of two years, the two candidates receiving the fifth and sixth highest number of votes shall be elected for a term of one year; thereafter, the term of all directors shall be three years.

3. A candidate for director of the ambulance district shall, at the time of filing, be a citizen of the United

States, a qualified voter of the election district as provided in subsection 1 of this section, a resident of the district for two years next preceding the election, and shall be [at least twenty-four years of age] **twenty-one years of age or older**. In an established district which is located within the jurisdiction of more than one election authority, the candidate shall file his or her declaration of candidacy with the secretary of the board. In all other districts, a candidate shall file a declaration of candidacy with the county clerk of the county in which he or she resides. A candidate shall file a statement under oath that he or she possesses the required qualifications. No candidate's name shall be printed on any official ballot unless the candidate has filed a written declaration of candidacy pursuant to subsection 5 of section 115.127. If the time between the county commission's call for a special election and the date of the election is not sufficient to allow compliance with subsection 5 of section 115.127, the county commission shall, at the time it calls the special election, set the closing date for filing declarations of candidacy.

204.610. 1. There shall be five trustees, appointed or elected as provided for in the circuit court decree or amended decree of incorporation for a reorganized common sewer district, who shall reside within the boundaries of the district. Each trustee shall be a voter of the district and shall have resided in said district for twelve months immediately prior to the trustee's election or appointment. A trustee shall be [at least twenty-five years of age] **twenty-one years of age or older** and shall not be delinquent in the payment of taxes at the time of the trustee's election or appointment. Regardless of whether or not the trustees are elected or appointed, in the event the district extends into any county bordering the county in which the greater portion of the district lies, the presiding commissioner or other chief executive officer of the adjoining county shall be an additional member of the board of trustees, or the governing body of such bordering county may appoint a citizen from such county to serve as an additional member of the board of trustees. Said additional trustee shall meet the qualifications set forth in this section for a trustee.

2. The trustees shall receive no compensation for their services but may be compensated for reasonable expenses normally incurred in the performance of their duties. The board of trustees may employ and fix the compensation of such staff as may be necessary to discharge the business and purposes of the district, including clerks, attorneys, administrative assistants, and any other necessary personnel. The board of trustees may employ and fix the duties and compensation of an administrator for the district. The administrator shall be the chief executive officer of the district subject to the supervision and direction of the board of trustees. The administrator of the district may, with the approval of the board of trustees, retain consulting engineers for the district under such terms and conditions as may be necessary to discharge the business and purposes of the district.

3. Except as provided in subsection 1 of this section, the term of office of a trustee shall be five years. The remaining trustees shall appoint a person qualified under this section to fill any vacancy on the board. The initial trustees appointed by the circuit court shall serve until the first Tuesday after the first Monday in June or until the first Tuesday after the first Monday in April, depending upon the resolution of the trustees. In the event that the trustees are elected, said elections shall be conducted by the appropriate election authority under chapter 115. Otherwise, trustees shall be appointed by the county commission in accordance with the qualifications set forth in subsection 1 of this section.

4. Notwithstanding any other provision of law, if there is only one candidate for the post of trustee, then no election shall be held, and the candidate shall assume the responsibilities of office at the same time and in the same manner as if elected. If there is no candidate for the post of trustee, then no election shall be held for that post and it shall be considered vacant, to be filled under the provisions of subsection 3 of this section.

247.060. 1. The management of the business and affairs of the district is hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his or her election. A member shall be [at least twenty-five years of age] **twenty-one years of age or older** and shall not be delinquent in the payment of taxes at the time of his **or her** election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

2. After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board.

3. The initial members of the board shall be appointed by the circuit court and one shall serve until the immediately following first Tuesday after the first Monday in April, two shall serve until the first Tuesday after the first Monday in April on the second year following their appointment and the remaining appointees shall serve until the first Tuesday after the first Monday in April on the third year following their appointment. On the expiration of such terms and on the expiration of any subsequent term, elections shall be held as otherwise provided by law, and such elections shall be held in April pursuant to section 247.180.

4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday after the first Monday in June until the first Tuesday in April of the third year following the year of their election. All directors elected thereafter shall serve from the first Tuesday in April until the first Tuesday in April of the third year following the year of their election.

5. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a member shall not be paid for attending more than four meetings in any calendar month. However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week. In addition, the president of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

6. In no event, however, shall a board member receive any attendance fees or additional compensation authorized in subsection 5 of this section until after such board member has completed a minimum of six hours training regarding the responsibilities of the board and its members concerning the basics of water treatment and distribution, budgeting and rates, water utility planning, the funding of capital improvements, the understanding of water utility financial statements, the Missouri sunshine law, and this chapter.

7. The circuit court of the county having jurisdiction over the district shall have jurisdiction over the members of the board of directors to suspend any member from exercising his or her office, whensoever it appears that he or she has abused his or her trust or become disqualified; to remove any member upon

proof or conviction of gross misconduct or disqualification for his or her office; or to restrain and prevent any alienation of property of the district by members, in cases where it is threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of the district.

8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon petition, filed by or at the instance of any member of the board, or at the instance of any ten voters residing in the district who join in the petition, verified by the affidavit of at least one of them. The petition shall be heard in a summary manner after ten days' notice in writing to the member or officer complained of. An appeal shall lie from the judgment of the circuit court as in other causes, and shall be speedily determined; but an appeal does not operate under any condition as a supersedeas of a judgment of suspension or removal from office.

249.140. 1. Any candidate for the office of trustee in the district shall be an American citizen [over the age of twenty-five years] **twenty-one years of age or older** and shall have been a resident within the county within which the district is situated for more than four whole years next before the date of the election at which he is a candidate and shall be a voter of the district. Any person desiring to become a candidate for the office of trustee at the election held on the original incorporation of the district, as provided in section 249.070, shall file with the county commission or with the election commissioners a statement, under oath, that he possesses the qualifications required by sections 249.010 to 249.420 for trustee and shall pay a filing fee of five dollars, whereupon his **or her** name shall be placed on the ballot as candidate for trustee. Any person desiring to become a candidate for the office of trustee in any subsequent election shall file such statement, under oath, with and pay such filing fee to the secretary of the board of trustees, whereupon his **or her** name shall be placed on the ballot as candidate for the office of trustee.

2. At such initial election the candidate who receives the highest number of votes shall be elected for a six-year term as trustee; the candidate who receives the second highest number of votes shall be elected for a four-year term as trustee; the candidate who receives the third highest number of votes shall be elected for a two-year term as trustee.

3. After his **or her** election each trustee shall take and subscribe [his] **an** oath or affirmation before the clerk of the circuit court to the effect that he **or she** is qualified to act as trustee under the provisions of sections 249.010 to 249.420 and that he **or she** will perform his **or her** duties as such trustee to the best of his **or her** ability and impartially in the interest of the whole district.

321.130. A person, to be qualified to serve as a director, shall be a resident and voter of the district for at least one year before the election or appointment and [be over the age of twenty-four years] **shall be twenty-one years of age or older**. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a filing fee equal to the amount of a candidate for county office as set forth under section 115.357, and filing a statement under oath that such person possesses the required qualifications. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

483.010. No person shall be appointed or elected clerk of any court, unless he [be] **or she is** a citizen of the United States, [above the age of twenty-one years] **twenty-one years of age or older**, and shall have resided within the state one whole year, and within the geographical area over which the court has jurisdiction or, in the case of circuit clerks, within the county from which elected, three months before the appointment or election; and every clerk shall, after his **or her** appointment or election, reside in the geographical area over which the court he **or she** serves has jurisdiction or, in the case of circuit clerks, in

the county for which he **or she** is clerk.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Hegeman moved that the Senate refuse to concur in **SCS** for **SB 631**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Luetkemeyer moved that the Senate refuse to adopt the conference committee report on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1441** and **HCS** for **HB 1898**, as amended, and request the House grant further conference, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 8:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House to inform the Senate that the House grants the Senate further conference on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended.

Representatives: Schroer, Veit, Gregory, Proudie, Washington.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **House Amendment No. 1**, **House Amendment No. 2**, and **House Amendment No. 3** to **SCS** for **SB 631**, and grants the Senate a conference thereon, and that the House Conferees on **SCS** for **SB 631**, with **House Amendment No. 1**, **House Amendment No. 2**, and **House Amendment No. 3**, be allowed to exceed the differences.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to

act with a like committee from the Senate on **SCS** for **SB 631**, with **House Amendment No. 1**, **House Amendment No. 2**, and **House Amendment No. 3**.

Representatives: Shaul (113), Simmons, McGaugh, Windham, Price.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HCS** for **HB 1414** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1414**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended for **HB 1330** and has taken up and passed **SCS** for **HB 1330**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 718**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Hegeman moved that the Senate conferees on **SCS** for **SB 631**, as amended, be allowed to exceed the differences, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SS No. 2** for **SCS** for **HB 1450**, **HB 1296**, **HCS** for **HB 1331** and **HCS** for **HB 1898**, as amended: Senators Luetkemeyer, Onder, Emery, Sifton and May.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 631**, as amended: Senators Hegeman, Crawford, Rowden, Rizzo and Sifton.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Schatz, moved that the vote by which the **HCS** for **SB 782**, as amended, passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Libla—1

Vacancies—3

Having voted on the prevailing side, Senator Schatz moved that the vote by which the title to **HCS for SB 782**, as amended, was agreed to be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Libla—1

Vacancies—3

Having voted on the prevailing side, Senator Schatz moved that the vote by which **HCS for SB 782**, as amended, was 3rd read and finally passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Libla—1

Vacancies—3

Having voted on the prevailing side, Senator Schatz moved that the vote by which **HCS for SB 782**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater

Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Libla—1

Vacancies—3

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SEVENTH DAY—FRIDAY, MAY 15, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1403-Hudson

HJR 78-Eggleston

HOUSE BILLS ON THIRD READING

HCS for HBs 1387 & 1482 (Wallingford)

HB 1386-Murphy, with SCS (Wieland)

HCS for HB 2555, with SCS (O’Laughlin)

HCS for HB 1540, with SCS (O’Laughlin)

(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater

SB 524-Sater

SB 525-Emery, with SCS, SS for SCS & SA 1
(pending)

SB 526-Emery, with SCS

SB 529-Cunningham, with SCS

SB 530-Cunningham, with SCS, SS for SCS
& SA 1 (pending)

SB 531-Wallingford, with SS & SA 1 (pending)

SB 537-Libla

SBs 538, 562 & 601-Libla, with SCS,
 SS for SCS & SA 1 (pending)
 SB 539-Libla, with SA 1 (pending)
 SB 542-Nasheed, with SCS
 SB 548-Hegeman
 SB 555-Riddle
 SB 557-Schatz, with SCS
 SB 558-Schatz, with SCS
 SB 559-Schatz, with SCS
 SB 568-Hoskins, with SCS
 SB 572-Rowden
 SB 575-Eigel, with SS#2 & SA 2 (pending)
 SB 576-Crawford, with SCS
 SB 581-Cierpiot, with SCS
 SB 583-Arthur, with SCS
 SB 586-Bernskoetter, with SCS
 SB 590-Burlison, with SCS
 SB 592-White
 SB 595-Hough, with SCS
 SBs 602, 778 & 561-Luetkemeyer, with SCS
 SB 605-O'Laughlin, with SCS
 SB 608-May, with SCS
 SB 612-Emery, with SCS
 SB 613-Emery, with SCS
 SB 615-Cunningham
 SB 625-Libla, with SCS
 SB 633-Hegeman
 SB 636-Wieland
 SB 639-Riddle
 SB 640-Onder
 SB 645-Hoskins, with SCS
 SB 646-Koenig
 SB 647-Koenig, with SCS
 SB 648-Koenig, with SCS, SS#2 for SCS &
 SA 1 (pending)
 SB 649-Eigel

SB 661-Bernskoetter, with SCS
 SB 665-Burlison
 SB 670-Hough, with SCS, SS for SCS & SA 1
 (pending)
 SB 674-Brown
 SBs 675 & 705-Luetkemeyer, with SCS
 SB 677-Luetkemeyer
 SB 690-Cunningham
 SB 696-Sifton
 SB 699-Riddle, with SCS
 SB 701-Onder
 SB 703-Hoskins, with SCS
 SB 714-Burlison, with SCS
 SB 716-Burlison
 SB 748-White
 SB 756-Sifton, with SCS
 SB 764-Onder, with SCS
 SB 768-Onder, with SCS
 SB 779-Crawford
 SB 780-Hough, with SCS
 SB 784-Wallingford
 SB 797-Wieland, with SCS
 SB 802-Hegeman
 SB 809-Brown, with SCS
 SB 857-Luetkemeyer, with SCS
 SB 885-Walsh
 SB 896-Eigel
 SB 996-Onder, with SCS
 SJR 31-Sater
 SJR 32-Sater
 SJR 33-Emery, with SCS
 SJR 40-Koenig
 SJR 44-Eigel
 SJRs 48, 41 & 43-Luetkemeyer, with SCS
 SJR 59-Eigel
 SJR 61-Nasheed, with SCS

HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Onder)

HB 1559-Remole, with SCS (Hoskins)

HB 1640-Taylor (Bernskoetter)
HCS for HB 1683, with SCS (Wallingford)
HB 1700-Fishel, with SCS, SS#2 for SCS &
SA 4 (pending) (Hough)

HB 1963-Fitzwater, with SCS, SS#2 for SCS
& SA 2 (pending) (Libla)
HCS for HB 2049, with SCS (Emery)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 552-Wieland, with HCS, as amended
SCS for SB 662-Bernskoetter, with HCS,
as amended

SB 774-Brown, with HA 1 & HA 2
SB 782-Brown, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 551-Wieland, with HCS, as amended
SS for SB 618-Wallingford, with HCS,
as amended
SCS for SB 631-Hegeman, with HA 1, HA 2
& HA 3
SCS for SB 653-Crawford, with HCS,
as amended
(Senate adopted CCR and passed CCS)

HB 1450, HB 1296, HCS for HB 1331 &
HCS for HB 1898-Schroer, with
SS# 2 for SCS, as amended (Luetkemeyer)
(House grants further conference)
HB 1693-Rehder, with SS#2 (Luetkemeyer)
(House adopted CCR and passed CCS)

RESOLUTIONS

Reported from Committee

SCR 28-Luetkemeyer
SCR 29-Wallingford
SCR 30-Schupp
SCR 31-Emery

SCR 33-May
SCR 34-Hoskins
SCR 35-Hoskins

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SEVENTH DAY—FRIDAY, MAY 15, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“We cannot forget history...we will be remembered for good or for ill...we cannot escape the burden nor responsibility.” (Abraham Lincoln)

Almighty God, this is our last day of this shortened session. We come to You realizing that many of the things we had hoped to accomplish will not be done and we must accept the limitation of time left to us. So we would ask You to give to us the wisdom to see clearly what is most important this day to complete and release those things that cannot be done to You. Give to us the strength to transform this time for what is best for us and to ask that Your blessings may be upon the work that we have brought and will bring to completion. And we recognize that it is right and proper that we give You thanks and praise for Your guidance and presence with us during this session. And as we travel home to the other work You have given us to do be our companion also there and be an every present help as we face what is ahead of us. Bring us safely home to loved ones and may it be a time of joy and love that we share with them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Arthur offered Senate Resolution No. 1467, regarding Annie Colwell, Overland Park, which was adopted.

Senator Sater offered Senate Resolution No. 1468, regarding Reta Faye (Westpheling) Voelker, Cassville, which was adopted.

Senators Crawford and Burlison offered Senate Resolution No. 1469, regarding the death of Matthew Canovi, Brighton, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bill and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 1403—Local Government and Elections.

HJR 78—Local Government and Elections.

Senator Wallingford assumed the Chair.

PRIVILEGED MOTIONS

Senator Luetkemeyer, on behalf of the conference committee appointed to act with a like committee from the House on **SS No. 2** for **HB 1693** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 1693**

The Conference Committee appointed on Senate Substitute No. 2 for House Bill No. 1693 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for House Bill No. 1693;
2. That the House recede from its position on House Bill No. 1693;
3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for House Bill No. 1693, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Holly Rehder
/s/ Glen Kolkmeyer
/s/ Mike Stephens
/s/ Tracy McCreery
Steven Roberts

FOR THE SENATE:

/s/ Tony Luetkemeyer
/s/ Cindy O’Laughlin
/s/ David Sater
/s/ John Rizzo
/s/ Scott Sifton

Senator Hegeman assumed the Chair.

President Kehoe assumed the Chair.

Senator Luetkemeyer moved that the above conference committee report be adopted.

At the request of Senator Luetkemeyer, the motion to adopt the Conference Committee Report was withdrawn, which placed the bill back on the Calendar.

HOUSE BILLS ON THIRD READING

Senator Libla moved that **HB 1963**, with **SCS**, **SS No. 2** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Libla, **SS No. 2** for **SCS** for **HB 1963** was withdrawn, rendering **SA 2** moot.

Senator Libla offered **SS No. 3** for **SCS** for **HB 1963**, entitled:

SENATE SUBSTITUTE NO. 3 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1963

An Act to repeal sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-nine new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

Senator Libla moved that **SS No. 3** for **SCS** for **HB 1963** be adopted.

Senator Sater assumed the Chair.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 3 for Senate Committee Substitute for House Bill No. 1963, Page 16, Section 227.600, Line 10 of said page, by inserting immediately after "4." the following: "**Notwithstanding any provision of law to the contrary, no funds from the state road fund established under section 30(b) of article IV of the Missouri constitution shall be used for the financing, development, or operation of a tube transport system.**

5."

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

President Kehoe assumed the Chair.

Senator O'Laughlin offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 3 for Senate Committee Substitute for House Bill No. 1963, Page 16, Section 227.600, Line 23, of said page, by inserting after all of said line the following:

"5. Under no circumstances shall a public right-of-way necessary for the expansion of Interstate 70 be materially impeded by or transferred to a public-private partnership for the purpose of constructing a tube transport system."

Senator O’Laughlin moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Cierpiot, Eigel, May and Wallingford.

SA 2 was adopted by the following vote:

YEAS—Senators

Arthur	Burlison	Cierpiot	Eigel	Emery	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Nasheed	O’Laughlin	Rowden
Sifton	Wallingford	Wieland—17				

NAYS—Senators

Bernskoetter	Brown	Cunningham	Libla	Riddle	Rizzo	Sater
Schatz	Schupp	Walsh	White	Williams—12		

Absent—Senators

Crawford	Onder—2
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Absent with leave—Senators—None

Vacancies—3

Senator Hoskins offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 3 for Senate Committee Substitute for House Bill No. 1963, Page 12, Section 144.805, Line 24, by inserting after all of said line the following:

“217.850. 1. A person commits the offense of unlawful use of unmanned aircraft over a correctional center if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet over a correctional center’s secure perimeter fence; or

(2) Allows an unmanned aircraft to make contact with a correctional center, including any person or object on the premises of or within the facility.

2. For purposes of this section, “correctional center” shall include:

(1) Any correctional center as defined in section 217.010;

(2) Any private jail as defined in section 221.095; and

(3) Any county or municipal jail.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of the correctional center at the direction of the chief administrative officer of the facility;

(2) A person who has written consent from the chief administrative officer of the facility;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility notifies the correctional center before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the correctional center;

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railroad Administration; or

(7) A person operating an unmanned aircraft pursuant to and in compliance with any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.

4. The offense of unlawful use of unmanned aircraft over a correctional center shall be punishable as an infraction unless the person uses an unmanned aircraft for the purpose of:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of an offender or correctional center employee, in which case the offense is a class B felony;

(2) Facilitating an escape from confinement under section 575.210, in which case the offense is a class C felony; or

(3) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.

5. Each correctional center shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.”; and

Further amend said bill, Page 182, Section 577.001, Line 4, by inserting after all of said line the following:

“577.800. 1. A person commits the offense of unlawful use of unmanned aircraft over an open-air facility if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet from the ground and within the property line of an open-air facility; or

(2) Uses an unmanned aircraft with the purpose of delivering to a person within an open-air facility any object described in subdivision (1) or (2) of subsection 4 of this section.

2. For purposes of this section, “open-air facility” shall mean any sports, theater, music, performing arts, or other entertainment facility with a capacity of five thousand people or more and not completely enclosed by a roof or other structure.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of an open-air facility at the direction of the president or chief executive officer of the open-air facility;

(2) A person who has written consent from the president or chief executive officer of the open-air

facility;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility or cooperative notifies the open-air facility before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the open-air facility; or

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railroad Administration.

4. The offense of unlawful use of unmanned aircraft over an open-air facility shall be punishable as a infraction unless the person uses an unmanned aircraft for:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of an employee or guest at an open-air facility, in which case the offense is a class B felony; or

(2) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.

5. Each open-air facility shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.

632.460. 1. A person commits the offense of unlawful use of unmanned aircraft over a mental health hospital if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet over the mental health hospital's property line; or

(2) Uses an unmanned aircraft to deliver to a person confined in a mental health hospital any object described in subdivision (1) or (3) of subsection 6 of this section.

2. For the purposes of subsection 1 of this section, vertical distance extends from ground level.

3. For purposes of this section, "mental health hospital" shall mean a facility operated by the department of mental health to provide inpatient evaluation, treatment, or care to persons suffering from a mental disorder, as defined under section 630.005; mental illness, as defined under section 630.005; or mental abnormality, as defined under section 632.480.

4. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of the mental health hospital at the direction of the chief administrative officer of the mental health hospital;

(2) A person who has written consent from the chief administrative officer of the mental health hospital;

(3) An employee of a law enforcement agency, fire department, or emergency medical service in the exercise of official duties;

(4) A government official or employee in the exercise of official duties;

(5) A public utility or a rural electric cooperative if:

(a) The unmanned aircraft is used for the purpose of inspecting, repairing, or maintaining utility transmission or distribution lines or other utility equipment or infrastructure;

(b) The utility notifies the mental health hospital before flying the unmanned aircraft, except during an emergency; and

(c) The person operating the unmanned aircraft does not physically enter the prohibited space without an escort provided by the mental health hospital;

(6) An employee of a railroad in the exercise of official duties on any land owned or operated by a railroad corporation regulated by the Federal Railway Administration; or

(7) A person operating an unmanned aircraft pursuant to and in compliance with any waiver issued by the Federal Aviation Authority under 14 C.F.R. Section 107.200.

5. Each mental health hospital shall post a sign warning of the provisions of this section. The sign shall be at least eleven inches by fourteen inches and posted in a conspicuous place.

6. The offense of unlawful use of unmanned aircraft over a mental health hospital shall be punishable as an infraction unless the person uses an unmanned aircraft for the purpose of:

(1) Delivering a gun, knife, weapon, or other article that may be used in such manner to endanger the life of a patient or mental health hospital employee, in which case the offense is a class B felony;

(2) Facilitating an escape from commitment or detention under section 575.195, in which case the offense is a class C felony; or

(3) Delivering a controlled substance, as that term is defined under section 195.010, in which case the offense is a class D felony.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Libla moved that **SS No. 3** for **SCS** for **HB 1963**, as amended, be adopted, which motion prevailed.

On motion of Senator Libla **SS No. 3** for **SCS** for **HB 1963**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	Nasheed	O’Laughlin	Onder	Riddle	Rowden	Sater
Schatz	Wallingford	White	Wieland—25			

NAYS—Senators

May	Rizzo	Schupp	Sifton	Walsh	Williams—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Wieland, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 551**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 551

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 551, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 551, as amended;
2. That the Senate recede from its position on Senate Bill No. 551;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 551 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Paul Wieland
/s/ Sandy Crawford
/s/ Mike Cunningham
/s/ Lauren Arthur
/s/ Scott Sifton

FOR THE HOUSE:

/s/ J. Eggleston
/s/ Jeff Porter
/s/ Dave Muntzel
/s/ Mark Ellebracht
/s/ Jon Carpenter

Senator Wieland moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Lutkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Wieland, **CCS** for **HCS** for **SB 551**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 551

An Act to repeal sections 303.200, 376.782, 379.860, 383.155, 383.160, and 383.175, RSMo, and to enact in lieu thereof ten new sections relating to insurance.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 631**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 631, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the

differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 631, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 631;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Daniel J. Hegeman
 /s/ Sandy Crawford
 /s/ Caleb Rowden
 /s/ John Rizzo
 Scott Sifton

FOR THE HOUSE:

/s/ Dan Shaul
 John Simmons
 /s/ Peggy McGaugh
 /s/ Kevin Windham
 /s/ Wiley Price

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	Nasheed
O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	White	Williams—26		

NAYS—Senators

Burlison	Cierpiot	Eigel	Onder	Wieland—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, **CCS** for **SCS** for **SB 631**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 631

An Act to repeal sections 36.155, 105.485, 115.277, 115.283, 115.285, 115.291, 115.357, 115.621, 115.642, 115.652, 115.761, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with an emergency clause for certain sections and existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin
Riddle	Rizzo	Rowden	Sater	Schatz	Schupp	Sifton

Wallingford Walsh White Williams—25

NAYS—Senators

Burlison Cierpiot Eigel Onder Wieland—5

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Crawford	Cunningham	Emery	Hegeman
Hoskins	Hough	Koenig	Libla	Luetkemeyer	May	O’Laughlin
Riddle	Rizzo	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Williams—25			

NAYS—Senators

Burlison Cierpiot Eigel Onder Wieland—5

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HBs 1387 and 1482, entitled:

An Act to amend chapter 198, RSMo, by adding thereto twelve new sections relating to the protection of residents living in long-term care facilities, with penalty provisions.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **HCS for HBs 1387 and 1482** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo

Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HB 1386, introduced by Representative Murphy, with **SCS**, entitled:

An Act to repeal section 105.470, RSMo, and to enact in lieu thereof one new section relating to lobbyists.

Was taken up by Senator Wieland.

SCS for **HB 1386**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1386

An Act to repeal sections 105.465, 105.470, 575.040, 575.050, 575.160, 575.270, 575.280, and 576.030, RSMo, and to enact in lieu thereof eleven new sections relating to ethics, with penalty provisions.

Was taken up.

Senator Wieland moved that **SCS** for **HB 1386** be adopted, which motion failed.

On motion of Senator Wieland, **HB 1386** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

Senator Hough moved that **HB 1700**, with **SCS**, **SS No. 2** for **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 4 was again taken up.

At the request of Senator Hough, **SS No. 2** was withdrawn, rendering **SA 4** moot.

At the request of Senator Hough, **HB 1700**, with **SCS**, was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 653**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 653**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HCS** for **HB 1682** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1682**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 913**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 644**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HCS** for **HB 2120** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2120**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **SCS** for **HCS** for **HB 1655** and has taken up and passed **SCS** for **HCS** for **HB 1655**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 2**, as amended for **SCS** for **HCS** for **HB 1854** and has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 1854**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 600**.

Bill ordered enrolled.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1470, regarding Lane Cargile, O'Fallon, which was adopted.

Senator Nasheed offered Senate Resolution No. 1471, regarding Rebecca Christine Johnson, O'Fallon, which was adopted.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Friday, May 22, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-EIGHTH DAY—FRIDAY, MAY 22, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1472, regarding Jefonte’ “Jay” Nelson, which was adopted.

Senator Burlison offered Senate Resolution No. 1473, regarding Colston Henderson, Republic, which was adopted.

On motion of Senator Rowden, the Senate adjourned until 10:30 a.m., Wednesday, May 27, 2020.

✓

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-NINTH DAY—WEDNESDAY, MAY 27, 2020

The Senate met pursuant to adjournment.

President Pro Tem Schatz in the Chair.

RESOLUTIONS

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 1474, regarding Henry Samuel Graves, Edgerton, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 1475, regarding Lance Cantu, which was adopted.

Senator Rowden offered Senate Resolution No. 1476, regarding Sarabjit Kaur, Columbia, which was adopted.

Senator Rowden offered Senate Resolution No. 1477, regarding Grace D. Rathert, Ashland, which was adopted.

On behalf of Senator Crawford, Senator Rowden offered Senate Resolution No. 1478, regarding Jack Long, Cole Camp, which was adopted.

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 1479, regarding the Seventy-Fifth Anniversary of Seiler Instrument and Manufacturing Company, Incorporated, St. Louis, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 1480, regarding Lyndsey Willyerd, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 1481, regarding Kelsey McCoy, Ballwin, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 1482, regarding Officer Larry Jerrod, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 1483, regarding Nathan VanZeyl, Maryland Heights, which was adopted.

Senator Rowden, joined by the entire membership, offered Senate Resolution No. 1484, regarding the

death of former Senator Charles D. “Chuck” Graham, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 1485, regarding Haley Bauer, St. Paul, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 1486, regarding Bailey Nadler, O’Fallon, which was adopted.

MESSAGES FROM THE HOUSE

The following messages, reflecting action taken prior to the 6:00 p.m. adjournment, Friday, May 15, 2020, were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 551**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 551**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 631**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 631**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 3**, as amended for **SCS** for **HB 1963** and has taken up and passed **SS No. 3** for **SCS** for **HB 1963**, as amended.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS** for **HCS** for **SB 551**; **SS** for **SCS** for **SB 569**; **SS No. 2** for **SCS** for **SB 591**; **HCS** for **SCS** for **SB 599**; **SS** for **SB 600**; **CCS** for **SCS** for **SB 631**; **SS** for **SB 644**; **CCS** for **HCS** for **SCS** for **SB 653**; **HCS** for **SB 656**; **HCS** for **SB 676**; **SS** for **SCS** for **SB 718**; **SCS** for **SB 739**; **SB 913**; and **SS No. 3** for **SJR 38**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **HCS** for **SB 551**; **SS** for **SCS** for **SB 569**; **SS No. 2** for **SCS** for **SB 591**; **HCS** for **SCS** for **SB 599**; **SS** for **SB 600**; **CCS** for **SCS** for **SB 631**; **SS** for **SB 644**; **CCS** for **HCS** for **SCS** for **SB 653**; **HCS** for **SB 656**; **HCS** for **SB 676**; **SS** for **SCS** for **SB 718**; **SCS** for **SB 739**; **SB 913**; and **SS No. 3** for **SJR 38**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolution would be signed by the President Pro Tem to the end that they may become

law. No objections being made, the bills and joint resolution were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **SCS for HB 1330; HB 1386; HCS for HBs 1387 and 1482; SS for SCS for HCS for HB 1414; SS for SCS for HB 1467 and HB 1934; SCS for HCS for HB 1655; HCS for HB 1711; CCS No. 2 for SS for SCS for HB 1768; SS No. 2 for SCS for HCS for HB 1854; SS for SCS for HCS No. 2 for HB 1896; SS No. 3 for SCS for HB 1963; HCS for HB 2001; CCS for SCS for HS for HCS for HB 2002; CCS for SCS for HS for HCS for HB 2003; CCS for SCS for HS for HCS for HB 2004; CCS for SCS for HS for HCS for HB 2005; CCS for SCS for HS for HCS for HB 2007; CCS for SCS for HS for HCS for HB 2008; CCS for SCS for HS for HCS for HB 2009; CCS for SCS for HS for HCS for HB 2010; CCS for SCS for HS for HCS for HB 2011; CCS for SCS for HS for HCS for HB 2012; SCS for HCS for HB 2013; HCS for HB 2017; HCS for HB 2018; CCS for SS for HCS for HB 2046; and SS for SCS for HCS for HB 2120**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Eigel submitted the following:

Adriane Crouse
Secretary of the Senate
Room 325
201 West Capitol Ave.
Jefferson City, Missouri 65101

Dear Madam Secretary,

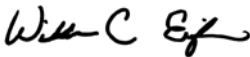
In accordance with the provisions of Rule 68 of the standing rules of the Missouri State Senate and Article III Sec. 30 of the Missouri State Constitution, I, hereby object to the signing of Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 1682.

HB 1682 had an original title of “relating to permissible usage of vapor products in public schools”. This bill as filed aimed to address educational administrative policy concerning vapor products. The title of the bill remained the same in both the House Committee Substitute and during the Perfected version of the bill on the House floor.

Once the bill was received by the Senate, Second Read, and subsequently considered by the standing committee on Seniors Families and Children, the committee offered and adopted a Senate Committee Substitute that added 29 new sections. Furthermore, the committee changed the title to “relating to healthcare.” This title change substantially altered the amount of sections covered in the bill and from my estimation does not keep with the original purpose intended by the author of HB 1682. It was then sent to the full Senate where Senate Substitute for SCS for HCS for HB 1682 was offered and although the title remained “relating to healthcare” it added 38 sections. Upon completion of consideration by the full Senate the bill was Third Read but not before adding 56 new sections of law.

While there are many things in the bill that I find agreeable and worth supporting, I was compelled to vote no on the legislation because I believe it violates Article III Sec. 23 of the Missouri State Constitution. The Constitution, which prohibits bills from containing more than one subject, which shall additionally require that the subject be clearly expressed in the title. This bill contains more than one subject, the truly agreed SS for SCS for HCS for HB 1682 clearly goes beyond its original purpose, thus I object to its signing.

Sincerely,



Senator William Eigel

Senator Cunningham submitted the following:

May 21, 2020

Mrs. Adriane Crouse
Secretary of the Senate
Room 325, State Capitol
Jefferson City, MO 65101

Mrs. Crouse:

House Bill 2006 and **House Bill 2019** contain appropriations for the Department of Conservation that directly conflict with Article IV, Section 43(b) of the Missouri Constitution, which states that Conservation Commission funds “shall be expended and used by the conservation commission, department of conservation, for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the state, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto, and for no other purpose.” The appropriations in **House Bill 2006** and **HB 2019** are unconstitutional to the extent they contain items that direct, limit, or prohibit the use of conservation funds by the Conservation Commission in ways that were not requested or approved by the Conservation Commission.

If you have any questions, please contact me.

Sincerely,



Mike Cunningham
State Senator, District 33

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **HCS** for **HB 1682**; **CCS** for **SS** for **SCS** for **HS** for **HCS** for **HB 2006**; and **HCS** for **HB 2019**, having passed both branches of the General Assembly, would be read at length by the Secretary, and the objections notwithstanding, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS for **HCS** for **SB 551**; **SS** for **SCS** for **SB 569**; **SS No. 2** for **SCS** for **SB 591**; **HCS** for **SCS** for **SB 599**; **SS** for **SB 600**; **CCS** for **SCS** for **SB 631**; **SS** for **SB 644**; **CCS** for **HCS** for **SCS** for **SB 653**; **HCS** for **SB 656**; **HCS** for **SB 676**; **SS** for **SCS** for **SB 718**; **SCS** for **SB 739**; and **SB 913**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

JOINT RESOLUTIONS DELIVERED TO THE SECRETARY OF STATE

SS No. 3 for **SJR 38**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Secretary of State by the Secretary of the Senate.

On motion of Senator Rowden, the Senate adjourned sine die, pursuant to the Constitution.

MIKE KEHOE
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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JOURNAL OF THE SENATE
ONE HUNDREDTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST EXTRA SESSION
OF THE
SECOND REGULAR SESSION

FIRST DAY—MONDAY, JULY 27, 2020

The Senate was called to order in Extra Session by President Kehoe.

Reverend Carl Gauck offered the following prayer:

“Keep your heart with all diligence, for out of it are the issues of life.” (Proverbs 4:23)

Gracious God, You have brought us here safely to do the business we have been called to do in this special session. We pray that You will be with us during this time that our work for the common good, providing ways for justice and law enforcement to be enhanced, and be the best work we can provide for the people of Missouri. So, we seek your Holy Spirit to guide our thoughts and decisions so the best efforts of this body will be provided and have Your blessings on them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

GOVERNOR’S PROCLAMATION

WHEREAS, crime rates have rapidly increased across our nation and state, primarily in urban areas; and

WHEREAS, Missouri is on track to have its deadliest year on record, having already experienced more homicides in the first half of 2020 than the entire year of 2019; and

WHEREAS, due to the COVID-19 outbreak, the General Assembly was only able to meet in limited fashion during the Second Regular Session of the One Hundredth General Assembly; and

WHEREAS, this unprecedented wave of violent crime presents an immediate threat to the health and safety of many Missourians; and

WHEREAS, protecting our citizens and the witnesses and victims of violent crimes is the paramount concern of our criminal justice system; and

WHEREAS, immediate legislative measures must be taken to further equip and enhance our criminal justice system to fight violent crime in Missouri and protect our citizens and residents.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundredth General Assembly of the State of Missouri in the

First Extra Session of the Second Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Monday, July 27, 2020; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation amending Section 84.344, RSMo for the sole purpose of removing the requirement that police officers in the City of St. Louis are required to maintain a residence in the City for at least seven years;
2. To enact legislation amending Section 211.071, RSMo to require courts to consider whether juveniles should be certified as adults in criminal cases for the offenses of unlawful use of a weapon and armed criminal action;
3. To add a new section to Chapter 285, RSMo to prohibit public safety employees of the City of St. Louis from being required to reside within the city limits;
4. To add a new section to Chapter 491, RSMo to allow for witness statement admissibility in court that would not otherwise be admissible, if the court finds that the defendant engaged in wrongdoing with the purpose of preventing the witness from testifying in the proceeding and the witness fails to appear;
5. To add a new section to Chapter 491, RSMo that creates a pretrial witness protection services fund where the Department of Public Safety may disburse money from the fund to law enforcement agencies for the purposes of providing security of witnesses, potential witnesses, and their immediate families in criminal proceedings or investigations, subject to appropriation from the General Assembly;
6. To enact legislation amending Section 568.045, RSMo in order to criminalize acts where a person knowingly encourages, aids, or causes a child less than seventeen years of age to engage in any weapons offense;
7. To enact legislation amending Section 571.060, RSMo to increase the penalty from a class A misdemeanor to a class E felony for persons who knowingly sell or deliver a firearm to a child less than eighteen years of age without the consent of the child's parent or guardian;
8. To add an Emergency Clause to all legislation enacted by the One Hundredth General Assembly, of the State of Missouri in the First Extra Session of the Second Regular Session;
9. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
10. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 15th day of July, 2020.

SEAL

/s/ Michael L. Parson
Governor

ATTEST

/s/ Jay Ashcroft
Secretary of State

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	O'Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the One Hundredth General Assembly, Second Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extraordinary Session of the Second Regular Session and is ready for consideration of its business.

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the One Hundredth General Assembly of the State of Missouri, that the rules adopted by the One Hundredth General Assembly, Second Regular Session, be declared the rules of the First Extra Session of the Second Regular Session.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charles E. Atwell, Democrat, 5801 Wornall Road, Kansas City, Jackson County, Missouri 64113, as a member of the Public Defender Commission, for a term ending July 26, 2026, and until his successor is duly appointed and qualified; vice, Charles E. Atwell, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Robert P. Ballsrud, 6 Hill Drive, Glendale, Saint Louis County, Missouri 63122, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2020, and until his successor is duly appointed and qualified; vice, Melanie R. Rippetoe, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Hannah Berry, 1208 Meadowlark Court, Liberty, Clay County, Missouri 64068, as a member of the Missouri Western State University Board of Governors, for a term ending December 31, 2021, and until her successor is duly appointed and qualified; vice, Paul N. Granberry, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Dr. Jeffrey P. Coughenour, Republican, 4402 Canyata Court, Columbia, Boone County, Missouri 65203, as a member of the State Board of Health and Senior Services, for a term ending October 13, 2021, and until his successor is duly appointed and qualified; vice, Anne E. Petersen, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Shalonn (Kiki) Curls, Democrat, 1909 Myrtle Avenue, Kansas City, Jackson County, Missouri 64127, as a member of the Labor and Industrial Relations Commission, for a term ending June 27, 2026, and until her successor is duly appointed and qualified; vice, Shalonn (Kiki) Curls, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Connie Diekman, Republican, 344 Elm Valley Drive, Webster Groves, Saint Louis County, Missouri 63119, as a member of the State Committee of Dietitians, for a term ending June 11, 2021, and until her successor is duly appointed and qualified; vice, Le Greta Hudson, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 14, 2020, while the Senate was not in session.

Briar A. Douglas, 2861 South Nettleton Avenue, Apartment A-302, Springfield, Greene County, Missouri 65807, as a member of the Missouri State University Board of Governors, for a term ending December 31, 2021, and until his successor is duly appointed and qualified; vice, William L. Miller, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 23, 2020, while the Senate was not in session.

Jennifer Blair Dowdney, Republican, 1129 Explorer Court, Osage Beach, Camden County, Missouri 65065, as a member of the Tourism Commission, for a term ending January 15, 2023, and until her successor is duly appointed and qualified; vice, David M. Corley, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Donald P. Edinger, 4150 Northeast 63rd Terrace, Gladstone, Clay County, Missouri 64119, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2022, and until his successor is duly appointed and qualified; vice, Stephanie D. Briscoe, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Edward Frederick, Republican, 21295 Pleasant Hill Road, Boonville, Cooper County, Missouri 65203, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2023, and until his successor is duly appointed

and qualified; vice, Erick V. Kern, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Helene Frischer, Democrat, 15275 Brightfield Manor Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Ethics Commission, for a term ending March 15, 2024, and until her successor is duly appointed and qualified; vice, Kimberly Benjamin, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 23, 2020, while the Senate was not in session.

Michael Henze, Republican, 1548 Mockingbird Lane, Osage Beach, Camden County, Missouri 65065, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2024, and until his successor is duly appointed and qualified; vice, Kevin L. Thompson, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 16, 2020, while the Senate was not in session.

Gary L. Hill, 12050 County Road 4040, Holts Summit, Callaway County, Missouri 65043, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2022, and until his successor is duly appointed and qualified; vice, Gregory Mills, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Nate K. Johnson, 2209 Cleek Court, Saint Louis, Saint Louis County, Missouri 63131, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2024, and until his successor is duly appointed and qualified; vice, Aliah Holman, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Lauren Kohn, 982 Greek Drive, LaFerla Hall 007B, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Luke M. LeGrand, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Dr. Patrice L. Komoroski, Independent, 65 West Meath Ring, Weldon Spring, Saint Charles County, Missouri 63304, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, Cynthia M. Circo, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 9, 2020, while the Senate was not in session.

Randy Little, Republican, 14201 West State Highway TT, Republic, Greene County, Missouri 65738, as a member of the State Fair Commission, for a term ending December 29, 2021, and until his successor is duly appointed and qualified; vice, Lowell Mohler, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Michelle Luster, 718 Benvenue Drive, Saint Louis, Saint Louis City, Missouri 63137, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2021, and until her successor is duly appointed and qualified; vice, Linda M. Bramblett, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Mary A. Brown, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 16, 2020, while the Senate was not in session.

David L. Marshak, 3311 Magnolia Lane, Festus, Jefferson County, Missouri 63028, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2022, and until his successor is duly appointed and qualified; vice, Oliver G. Boyer, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2020, while the Senate was not in session.

Monica C. McCollough, 21481 220th Street, Burlington Junction, Nodaway County, Missouri 64428, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2024, and until her successor is duly appointed and qualified; vice, RSMO 324.243.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Hanh Nguyen, 650 Dyer Road, Wentzville, Saint Charles County, Missouri 63385, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2024, and until his successor is duly appointed and qualified; vice, Christine M. Kiefer, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Joseph S. Passanise, Republican, 3838 East Forrest Ridge Lane, Rogersville, Greene County, Missouri 65742, as a member of the Tourism Commission, for a term ending January 15, 2024, and until his successor is duly appointed and qualified; vice, Eric Rhone, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 23, 2020, while the Senate was not in session.

Jeanette Hernandez Prenger, Independent, 9906 Northwest 75th Terrace, Weatherby Lake, Platte County, Missouri 64152, as a member of the Tourism Commission, for a term ending January 15, 2022, and until her successor is duly appointed and qualified;

vice, John “Jay” Wasson, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Michael J. Prost, Republican, 1229 Hillcrest Field Drive, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2022, and until his successor is duly appointed and qualified; vice, Darryl L. Winegar, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Zachary Racy, 3400 Northwest 50th Street, Riverside, Platte County, Missouri 64150, as a member of the University of Central Missouri Board of Governors, for a term ending December 31, 2021, and until his successor is duly appointed and qualified; vice, Casey J. Short, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sheila Barrett Ray, 6775 West Bruce Lane, Harrisburg, Boone County, Missouri 65256, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2024, and until her successor is duly appointed and qualified; vice, Sheila Barrett Ray, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

Abigail Smeltzer, 2801 Whitney Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Truman State University Board of Governors, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Tiffany M. Middlemas, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 16, 2020, while the Senate was not in session.

Todd P. Smith, 2405 Woodland Drive, Sedalia, Pettis County, Missouri 65301, as a member of the State Board of Mediation, for a term ending April 1, 2023, and until his successor is duly appointed and qualified; vice, Todd P. Smith, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

P. Michael Snider, 1585 Sugar Maple Lane, Liberty, Clay County, Missouri 64068, as a member of the Missouri 911 Service Board, for a term ending April 9, 2022, and until his successor is duly appointed and qualified; vice, Mark S. Hasheider, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2020, while the Senate was not in session.

J. Mark Stidham, 13581 North Locust Street, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri 911 Service Board, for a term ending April 9, 2021, and until his successor is duly appointed and qualified; vice, David J. Jones, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Mark J. Collom, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Dr. Margaret “Margie” Mary Vandeven, 202 Logans Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Midwestern Higher Education Commission, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Dr. Margaret “Margie” Mary Vandeven, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2020, while the Senate was not in session.

Timothy E. Wahl, Democrat, 4703 Sussex Drive, Columbia, Boone County, Missouri 65203, as a member of the Workers’ Compensation Determinations Review Board, for a term ending March 3, 2021, and until his successor is duly appointed and qualified; vice, John Chapman, deceased.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
July 27, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 14, 2020, while the Senate was not in session.

Remington Williams, 632 West 67th Street, Kansas City, Jackson County, Missouri 64113, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2022, and until his successor is duly appointed and qualified; vice, Avery J. Welker, term expired.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 1—By Libla.

An Act to repeal sections 84.344, 568.045, and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof eight new sections relating to public safety, with penalty provisions and an emergency clause.

SB 2—By Libla.

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to residency requirements of public safety employees, with an emergency clause.

SB 3—By Libla.

An Act to repeal sections 568.045 and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to weapons offenses, with penalty provisions and an emergency clause.

SB 4—By Libla.

An Act to amend chapter 491, RSMo, by adding thereto two new sections relating to witnesses, with an emergency clause.

SB 5—By Koenig.

An Act to amend chapter 556, RSMo, by adding thereto one new section relating to criminal procedure, with an emergency clause.

SB 6—By Eigel.

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to policy residency requirements.

SB 7—By Eigel.

An Act to repeal section 590.500, RSMo, and to enact in lieu thereof one new section relating to law enforcement officer disciplinary actions.

SB 8—By Eigel.

An Act to repeal section 208.153, RSMo, and to enact in lieu thereof two new sections relating to abortion.

SB 9—By Eigel.

An Act to amend chapter 574, RSMo, by adding thereto one new section relating to unlawful traffic interference, with penalty provisions.

SB 10—By Eigel.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof two new sections relating to occupational diseases diagnosed in first responders.

SB 11—By Schupp.

An Act to amend chapter 571, RSMo, by adding thereto two new sections relating to background checks for the sale and transfer of firearms, with penalty provisions.

SB 12—By Schupp.

An Act to repeal sections 163.031 and 163.036, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary school operations during a pandemic, with an emergency clause.

SB 13—By Onder.

An Act to repeal section 563.031, RSMo, and to enact in lieu thereof one new section relating to public safety.

SB 14—By Onder.

An Act to repeal sections 70.441, 571.107, 577.703, and 577.712, RSMo, and to enact in lieu thereof four new sections relating to firearms, with existing penalty provisions.

SB 15—By Onder.

An Act to amend chapter 56, RSMo, by adding thereto one new section relating to the removal of officers.

SB 16—By Williams.

An Act to repeal sections 105.240, 542.271, 542.276, 542.291, 542.296, 544.190, 544.200, 563.031, 563.041, 563.046, 563.051, 563.074, 566.145, 575.180, 590.010, 590.030, 590.040, 590.080, 590.180, and 590.195, RSMo, and to enact in lieu thereof twenty-eight new sections relating to law enforcement agency accountability, with penalty provisions.

SJR 1—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, by adding thereto one new section relating to abortion.

RESOLUTIONS

Senator Luetkemeyer offered Senate Resolution No. 3, regarding the Fiftieth Wedding Anniversary of Tim and Lynna Sarver, St. Joseph, which was adopted.

INTRODUCTION OF GUESTS

Senator Onder introduced to the Senate, his son Joseph, Lake St. Louis.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY-TUESDAY, JULY 28, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Libla
SB 2-Libla
SB 3-Libla
SB 4-Libla
SB 5-Koenig
SB 6-Eigel
SB 7-Eigel
SB 8-Eigel
SB 9-Eigel

SB 10-Eigel
SB 11-Schupp
SB 12-Schupp
SB 13-Onder
SB 14-Onder
SB 15-Onder
SB 16-Williams
SJR 1-Eigel

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

SECOND DAY—TUESDAY, JULY 28, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Gauck offered the following prayer:

“Thus, says the Lord: I will bind up the injured, and I will strengthen the weak.” (Ezekiel 34:16)

Merciful God, we see so much violence going on in our country and even in our state and pray that we might be instruments of healing and care for those who suffer from it. We pray that You will give us the wisdom we need to assist those who enforce our laws and provide justice for those who seek it. We are thankful for those who put themselves on the frontline of caring for the sick and injured and ask your strength to abide in them and cures for those inflicted from Covid19. And we pray Lord for your spirit of healing to be with our Sgt at Arms, Bill Smith. We pray that his doctors will find the cause of his falling and restore his strength and health. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

Absent—Senator Nasheed—1

Absent with leave—Senators

Arthur Onder—2

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 4, regarding Duncan Kincheloe, Jefferson City, which was adopted.

Senator White offered Senate Resolution No. 5, regarding John A. Corcoran, RN, Joplin, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 17—By May.

An Act to repeal section 211.211, RSMo, and to enact in lieu thereof one new section relating to a child's right to counsel.

SB 18—By May.

An Act to repeal sections 590.010, 590.030, 590.040, 590.120, and 590.180, RSMo, and to enact in lieu thereof twelve new sections relating to public safety.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committees indicated:

SB 1—Transportation, Infrastructure and Public Safety.

INTRODUCTION OF GUESTS

Senator Libla introduced to the Senate his grandchildren, Noah and Elizabeth Gholson, Ashland.

On motion of Senator Rowden, the Senate adjourned until 4:00 p.m., Wednesday, August 5, 2020.

SENATE CALENDAR

THIRD DAY—WEDNESDAY, AUGUST 5, 2020

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 2-Libla

SB 3-Libla

SB 4-Libla

SB 5-Koenig

SB 6-Eigel

SB 7-Eigel

SB 8-Eigel

SB 9-Eigel

SB 10-Eigel

SB 11-Schupp

SB 12-Schupp
SB 13-Onder
SB 14-Onder
SB 15-Onder

SB 16-Williams
SB 17-May
SB 18-May
SJR 1-Eigel

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

THIRD DAY—WEDNESDAY, AUGUST 5, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Gauck offered the following prayer:

God has not given us the spirit of fear, but of power, and of love, and of a sound mind. (2 Timothy 1:7)

O God, of love and clear thinking: help us see that there is nothing that keeps us from using our minds for clear thinking yet providing compassion that supports our thoughts and actions. Help us to always strive for a balance between boldness and love, between power and wise discretion. Help us demonstrate the sanity of saintliness and discretion of legal thinking, so that our work may be of service to our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Tuesday, July 28, 2020 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O'Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Arthur—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 6, regarding Zoe Coffman, Florissant, which was adopted.

Senator Sifton offered Senate Resolution No. 7, regarding Olivia Rausch, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 8, regarding Rebecca Bauer, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 9, regarding the Fiftieth Wedding Anniversary of Jerry Michael “Mike” and Carla Jean McMillian, Farmington, which was adopted.

Senator Walsh offered Senate Resolution No. 10, regarding Elizabeth Wurth, Florissant, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 11, regarding Connie Schaefer, Jefferson City, which was adopted.

Senator Libla offered Senate Resolution No. 12, regarding David Fielding, Poplar Bluff, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 13, regarding the Jane Randolph Jefferson Chapter of the Daughters of the American Revolution, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 14, regarding the Fiftieth Wedding Anniversary of James and Roxanne Dale, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 15, regarding the Sixtieth Wedding Anniversary of Mort and Jackie Bigham, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 16, regarding the Fiftieth Wedding Anniversary of Larry and Kathy Shirley, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 17, regarding the death of Louise Schaaf, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 18, regarding Peacock Pediatrics, St. Joseph, which was adopted.

Senator Hough offered Senate Resolution No. 19, regarding Armando Johnson, Springfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Helene Frischer, Democrat, as a member of the Missouri Ethics Commission;

Also,

David L. Marshak and Gary L. Hill, as members of the Peace Officer Standards and Training

Commission;

Also,

Michael J. Prost, Republican and Dr. Patrice L. Komoroski, Independent, as members of the Missouri Health Facilities Review Committee;

Also,

Remington Williams, as a member of the University of Missouri Board of Curators;

Also,

Dr. Jeffrey P. Coughenour, Republican, as a member of the State Board of Health and Senior Services;

Also,

Edward Frederick, Republican, as a member of the State Technical College of Missouri Board of Regents;

Also,

Jeanette Hernandez Prenger, Independent, Joseph S. Passanise, Republican and Jennifer Blair Dowdney, Republican, as members of the Tourism Commission;

Also,

Zachary Racy, as a member of the University of Central Missouri Board of Governors;

Also,

Randy Little, Republican, as a member of the State Fair Commission;

Also,

Abigail Smeltzer, as a member of the Truman State University Board of Governors;

Also,

Robert P. Ballsrud, as a member of the Higher Education Loan Authority of the State of Missouri;

Also,

Hannah Berry, as a member of the Missouri Western State University Board of Governors;

Also,

Lauren Kohn, as a member of the Southeast Missouri State University Board of Regents;

Also,

Nate K. Johnson, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District;

Also,

Micheal Henze, Republican, as a member of the Health and Educational Facilities Authority of the State of Missouri;

Also,

Briar A. Douglas, as a member of the Missouri State University Board of Governors;

Also,

Charles E. Atwell, Democrat, as a member of the Public Defender Commission;

Also,

Shalonn (Kiki) Curls, Democrat, as a member of the Labor and Industrial Relations Commission;

Also,

Sheila Barrett Ray, as a member of the Missouri State Board of Nursing; and

Todd P. Smith, as a member of the State Board of Mediation.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI

August 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments:

Connie Diekman, Republican, 344 Elm Valley Drive, Webster Groves, Saint Louis County, Missouri 63119, as a member of the State Committee of Dietitians, for a term ending June 11, 2021, and until her successor is duly appointed and qualified; vice, Le Greta Hudson, resigned.

Donald P. Edinger, 4150 Northeast 63rd Terrace, Gladstone, Clay County, Missouri 64119, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2022, and until his successor is duly appointed and qualified; vice, Stephanie D. Briscoe, resigned.

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Michelle Luster, 718 Benvenue Drive, Saint Louis, Saint Louis City, Missouri 63137, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2021, and until her successor is duly appointed and qualified; vice, Linda M.

Bramblett, term expired.

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Mary A. Brown, resigned.

Monica C. McCollough, 21481 220th Street, Burlington Junction, Nodaway County, Missouri 64428, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2024, and until her successor is duly appointed and qualified; vice, RSMO 324.243.

Hanh Nguyen, 650 Dyer Road, Wentzville, Saint Charles County, Missouri 63385, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2024, and until his successor is duly appointed and qualified; vice, Christine M. Kiefer, withdrawn.

P. Michael Snider, 1585 Sugar Maple Lane, Liberty, Clay County, Missouri 64068, as a member of the Missouri 911 Service Board, for a term ending April 9, 2022, and until his successor is duly appointed and qualified; vice, Mark S. Hasheider, term expired.

J. Mark Stidham, 13581 North Locust Street, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri 911 Service Board, for a term ending April 9, 2021, and until his successor is duly appointed and qualified; vice, David J. Jones, term expired.

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Mark J. Collom, term expired.

Dr. Margaret “Margie” Mary Vandeven, 202 Logans Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Midwestern Higher Education Commission, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Dr. Margaret “Margie” Mary Vandeven, withdrawn.

Timothy E. Wahl, Democrat, 4703 Sussex Drive, Columbia, Boone County, Missouri 65203, as a member of the Workers’ Compensation Determinations Review Board, for a term ending March 3, 2021, and until his successor is duly appointed and qualified; vice, John Chapman, deceased.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz moved that the above appointments be returned to the Governor per his request, which motion prevailed.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTH DAY—THURSDAY, AUGUST 6, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 2-Libla

SB 3-Libla

SB 4-Libla

SB 5-Koenig

SB 6-Eigel

SB 7-Eigel

SB 8-Eigel

SB 9-Eigel

SB 10-Eigel

SB 11-Schupp

SB 12-Schupp

SB 13-Onder

SB 14-Onder
SB 15-Onder
SB 16-Williams

SB 17-May
SB 18-May
SJR 1-Eigel

SENATE BILLS FOR PERFECTION

SB 1-Libla

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

FOURTH DAY—THURSDAY, AUGUST 6, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Gauck offered the following prayer:

Therefore, my beloved, be steadfast, immovable, always excelling in the work of the Lord, because you know that in the Lord your labor is not in vain. (I Corinthians 15:57-58)

Lord God, we know that we live in two kingdoms, of mankind and of You our God. We know that You have instituted government for the fair regulating of life among Your people and so we pray today that the laws we hope to write will truly be for the benefit of all as we seek to live peacefully together. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O'Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 1** be taken up for perfection, which motion prevailed.

Senator Libla offered **SS** for **SB 1**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 1

An Act to repeal sections 84.344, 568.045, and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof eight new sections relating to public safety, with penalty provisions, an emergency clause for certain sections and an effective date for a certain section.

Senator Libla moved that **SS** for **SB 1** be adopted.

Senator May offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 1, Page 3, Section 84.344, Lines 10-19 of said page, by striking said lines and inserting in lieu thereof the following:

“6. (1) Commencing August 31, 2020, commissioned and civilian personnel who [were previously] are employed by the [board shall continue to] municipal police force established under this section shall not be subject, throughout their employment for the city not within a county, to a residency [rule no more restrictive than a] requirement of retaining a primary residence in a city not within a county [for a total of seven years and of then allowing them to maintain a] so long as the primary residence [outside the city not within a county so long as the residence] is located within a one-hour response time. The provisions of this subdivision shall expire on August 31, 2021.

(2) Only commissioned and civilian personnel who are hired after August 31, 2021, by the municipal police force established under this section may be subject, throughout their employment for a city not within a county, to a residency rule no more restrictive than a requirement of retaining a residence in a city not within a county for a total of seven years and of then allowing them to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.”; and

Further amend said bill, Page 16, Section 285.040, Line 3 of said page, by inserting after all of said line the following:

“3. Public safety employees who are hired after August 31, 2021, by a city not within a county throughout their employment for the city not within a county, may be subject to a residence rule no more restrictive than a requirement of retaining a residence in a city not within a county for a total a seven years and of then allowing them to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.”.

Senator May moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Eigel offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 1, Page 1, Line 15, by striking “2021” and inserting in lieu thereof the following: “**2025**”; and further amend line 17 by striking “2021” and inserting in lieu thereof the following: “**2025**”; and further amend lines 19-21 by striking all of said lines; and

Further amend said amendment, page 2, lines 1-3, by striking all of said lines and inserting in lieu thereof the following: “**for a city not within a county, to a residency rule no more restrictive than allowing them to maintain a primary residence outside the city not within a county so long as the primary residence is located within a one-hour response time.**”; and”; and further amend line 7, by striking “2021” and inserting in lieu thereof the following: “**2025**”; and further amend lines 9-11, by striking all of said lines and inserting in lieu thereof the following: “**rule no more restrictive than allowing them to maintain a primary residence outside**”.

Senator Eigel moved that the above amendment be adopted.

Senator Cunningham assumed the Chair.

President Kehoe assumed the Chair.

Senator Nasheed moved that **SA 1 to SA 1** lay on the table indefinitely, pursuant to Senate Rule 73.

Senator Luetkemeyer requested a roll call vote be taken. He was joined in his request by Senators Eigel, Emery, Libla and Sater.

The motion to lay **SA 1 to SA 1** on the table indefinitely failed by the following vote:

YEAS—Senators

Arthur	May	Nasheed	Rizzo	Schupp	Sifton	Walsh
Williams—8						

NAYS—Senators

Bernskoetter	Brown	Burlison	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	O’Laughlin
Onder	Riddle	Rowden	Sater	Schatz	Wallingford	White
Wieland—22						

Absent—Senator Cierpiot—1

Absent with leave—Senators—None

Vacancies—3

President Pro Tem Schatz assumed the Chair.

President Kehoe assumed the Chair.

Senator Eigel moved that **SA 1 to SA 1** be adopted, which motion prevailed by a standing division vote.

At the request of Senator May, SA 1 was withdrawn, rendering SA 1 to SA 1 moot.

Senator Nasheed offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 1, Page 18, Section 491.641, Line 23 of this page, by inserting after all of said line the following:

“563.046. 1. A law enforcement officer need not retreat or desist from efforts to effect the arrest, or from efforts to prevent the escape from custody, of a person he or she reasonably believes to have committed an offense because of resistance or threatened resistance of the arrestee. In addition to the use of physical force authorized under other sections of this chapter, a law enforcement officer is, subject to the provisions of subsections 2 and 3, justified in the use of such physical force as he or she reasonably believes is immediately necessary to effect the arrest or to prevent the escape from custody.

2. The use of any physical force in making an arrest is not justified under this section unless the arrest is lawful or the law enforcement officer reasonably believes the arrest is lawful, and the amount of physical force used was objectively reasonable in light of the totality of the particular facts and circumstances confronting the officer on the scene, without regard to the officer's underlying intent or motivation.

3. [In effecting an arrest or in preventing an escape from custody,] A law enforcement officer is justified in using deadly force only:

(1) When deadly force is authorized under other sections of this chapter; or

(2) When the officer reasonably believes that such use of deadly force is immediately necessary to effect the arrest or prevent an escape from custody and also [reasonably believes] **has probable cause to believe** that the person to be arrested:

(a) Has committed or attempted to commit a felony offense involving the infliction or threatened infliction of serious physical injury; or

(b) [Is attempting to escape by use of a deadly weapon or dangerous instrument; or

(c)] May otherwise [endanger life or inflict] **pose a threat of** serious physical injury to the officer or others unless arrested without delay.

4. The defendant shall have the burden of injecting the issue of justification under this section.”; and

Further amend said bill, Page 20, Section 571.060, Line 25 of said page, by inserting after all of said line the following:

“[544.190. If, after notice of the intention to arrest the defendant, he either flee or forcibly resist, the officer may use all necessary means to effect the arrest.]”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Rowden raised the point of order that SA 2 is out of order as it exceeds the scope of the Governor’s Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it well taken.

The Senate observed a moment of silence in memory of Congressman John Lewis.

Senator May offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 1, Pages 1-6, Section 84.344, by striking all of said section from the bill; and

Further amend said bill, Pages 15-16, Section 285.040, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

Senator Crawford assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Libla, **SS** for **SB 1** was withdrawn, rendering **SA 3** moot.

Senator Libla offered **SS No. 2** for **SB 1**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 1**

An Act to repeal sections 84.344, 217.345, 568.045, and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof ten new sections relating to public safety, with penalty provisions, an emergency clause for certain sections and an effective date for a certain section.

Senator Libla moved that **SS No. 2** for **SB 1** be adopted.

On motion of Senator Rowden, the Senate recessed until 8:15 p.m., which placed **SB 1**, with **SS No. 2** (pending), on the Informal Calendar.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 1**, with **SS No. 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Libla, **SB 1**, with **SS No. 2** (pending) was withdrawn.

Senator Libla offered **SS No. 3** for **SB 1**, entitled:

**SENATE SUBSTITUTE NO. 3 FOR
SENATE BILL NO. 1**

An Act to repeal sections 84.344, 217.345, 568.045, and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof ten new sections relating to public safety,

with penalty provisions, an emergency clause for certain sections and an effective date for a certain section.

Senator Libla moved that **SS No. 3** for **SB 1** be adopted, which motion prevailed.

On motion of Senator Libla, **SS No. 3** for **SB 1** was declared perfected and ordered printed.

On motion of Senator Rowden, the Senate recessed until 10:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SB 1**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Schatz referred **SS No. 3** for **SB 1** to the Committee on Fiscal Oversight.

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTH DAY—FRIDAY, AUGUST 7, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 2-Libla	SB 11-Schupp
SB 3-Libla	SB 12-Schupp
SB 4-Libla	SB 13-Onder
SB 5-Koenig	SB 14-Onder
SB 6-Eigel	SB 15-Onder
SB 7-Eigel	SB 16-Williams
SB 8-Eigel	SB 17-May
SB 9-Eigel	SB 18-May
SB 10-Eigel	SJR 1-Eigel

THIRD READING OF SENATE BILLS

SS#3 for SB 1-Libla (In Fiscal Oversight)

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

FIFTH DAY—FRIDAY, AUGUST 7, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Gauck offered the following prayer:

Cast your burdens on the Lord, and he will sustain you; he will never permit the righteous to be moved. (Psalm 55:22)

Lord God, as we complete our time here may what we have put forth be of help to those who we have directed our efforts. May Your blessings be upon us and those who serve You. And may we return safely to those whom we love and who love us and be among those we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O'Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS No. 3** for **SB 1**, begs

leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SS No. 3 for SB 1, introduced by Senator Libla, entitled:

SENATE SUBSTITUTE NO. 3 FOR SENATE BILL NO. 1

An Act to repeal sections 84.344, 217.345, 568.045, and 571.060, RSMo, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and to enact in lieu thereof ten new sections relating to public safety, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

Was taken up.

On motion of Senator Libla, **SS No. 3 for SB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland—27	

NAYS—Senators

May	Nasheed	Williams—3
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Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	O’Laughlin	Onder	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland—27	

NAYS—Senators

May	Nasheed	Williams—3
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Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 2—Transportation, Infrastructure and Public Safety.

SB 3—Transportation, Infrastructure and Public Safety.

SB 4—Transportation, Infrastructure and Public Safety.

SB 5—Transportation, Infrastructure and Public Safety.

SB 6—Transportation, Infrastructure and Public Safety.

SB 7—Transportation, Infrastructure and Public Safety.

SB 8—Transportation, Infrastructure and Public Safety.

SB 9—Transportation, Infrastructure and Public Safety.

SB 10—Government Reform.

SB 11—Transportation, Infrastructure and Public Safety.

SB 12—Education.

SB 13—Transportation, Infrastructure and Public Safety.

SB 14—Transportation, Infrastructure and Public Safety.

SB 15—Government Reform.

SB 16—Transportation, Infrastructure and Public Safety.

SB 17—Transportation, Infrastructure and Public Safety.

SB 18—Transportation, Infrastructure and Public Safety.

SJR 1—Health and Pensions.

On motion of Senator Rowden, the Senate adjourned until 12:00 p.m., Thursday, August 13, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

SIXTH DAY—THURSDAY, AUGUST 13, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

RESOLUTIONS

On behalf of Senator Nasheed, Senator Bernskoetter offered Senate Resolution No. 20, regarding Venton Blandin, St. Louis, which was adopted.

On behalf of Senator May, Senator Bernskoetter offered Senate Resolution No. 21, regarding Taylor Boaz, St. Louis, which was adopted.

On behalf of Senator Riddle, Senator Bernskoetter offered Senate Resolution No. 22, regarding Joseph Deville, Fulton, which was adopted.

On behalf of Senator Riddle, Senator Bernskoetter offered Senate Resolution No. 23, regarding Hope Raps, Fulton, which was adopted.

On behalf of Senator Sater, Senator Bernskoetter offered Senate Resolution No. 24, regarding the Seventieth Wedding Anniversary of Dr. Don and Em England, Eagle Rock, which was adopted.

On behalf of Senator Sater, Senator Bernskoetter offered Senate Resolution No. 25, regarding the Fiftieth Wedding Anniversary of Ron and Nancy Prewitt, Wheaton, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 26, regarding Commander George Howell, which was adopted.

On behalf of Senator Sater, Senator Bernskoetter offered Senate Resolution No. 27, regarding Bob Campbell, Pineville, which was adopted.

On behalf of Senator Libla, Senator Bernskoetter offered Senate Resolution No. 28, regarding Billy Pyland, Poplar Bluff, which was adopted.

On behalf of Senator Burlison, Senator Bernskoetter offered Senate Resolution No. 29, regarding Jesse Baker, Clever, which was adopted.

On behalf of Senator Burlison, Senator Bernskoetter offered Senate Resolution No. 30, regarding Tonya Claybrook, Highlandville, which was adopted.

On behalf of Senator Sater, Senator Bernskoetter offered Senate Resolution No. 31, regarding Reta

Voelker, Mineral Springs, which was adopted.

On behalf of Senator Hough, Senator Bernskoetter offered Senate Resolution No. 32, regarding Kadien Kristek, Springfield, which was adopted.

On behalf of Senator Brown, Senator Bernskoetter offered Senate Resolution No. 33, regarding the Fortieth Wedding Anniversary of Ray Alan and Joelle Kathryn Jones, Dixon, which was adopted.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
August 10, 2020

TO THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE ONE HUNDREDTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,
Michael L. Parson
Governor

GOVERNOR'S PROCLAMATION SPECIAL MESSAGE

WHEREAS, crime rates have rapidly increased across our nation and state, primarily in urban areas; and

WHEREAS, part of Missouri has already experienced more homicides in 2020 than what was experienced in the entire year of 2019 and is on track to have its deadliest year on record; and

WHEREAS, the unprecedented wave of violent crime existing in Missouri's urban areas needs to be addressed; and

WHEREAS, in the City of St. Louis, there were 138 murders as of July 22, 2020, compared to 105 murders at the same time last year; and

WHEREAS, legislative measures need to be taken to further address violent crime in Missouri and protect our citizens and residents; and

WHEREAS, in order to ensure the health and safety of our citizens, legislative measures need to be taken to further address violent crime in the City of St. Louis, and across the State of Missouri, in order to protect our citizens and residents.

NOW THEREFORE, on the extraordinary occasion that exists in Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my July 15, 2020 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary is as follows:

1. To add a new section to Chapter 27, RSMo authorizing the Attorney General to commence and prosecute the offenses of murder in the first degree and murder in the second degree, in addition to any offense that was part of the same course of conduct, in the City of St. Louis;
2. To enact legislation amending Section 84.344, RSMo removing the requirement that police officers in the City of St. Louis to maintain a residence in the City for at least seven years, and requiring the provision expire after three years;
3. To enact legislation amending Section 211.071, RSMo changing the age for a certification hearing from twelve years old to fourteen years old, and removing the offenses of distribution of a controlled substance and manufacture of a controlled substance from the certification hearing requirement;
4. To add a new section to Chapter 211, RSMo requiring the Office of State Courts Administrator to collect data concerning the number of juvenile certification petitions filed annually, the disposition of certification petitions filed, the offenses for which juvenile officers seek certification, the race of the juveniles for which the juvenile officers seek certification, and the number of juveniles who waive their right to counsel, and to make such data

available to juvenile court personnel and the leadership of the General Assembly;

5. To enact legislation amending Section 217.345, RSMo requiring the Missouri Department of Corrections to develop programming that include educational opportunities that result in a high school diploma or the equivalent for offenders under the age of eighteen, and to separate offenders under the age of eighteen from adult offenders; and
6. To add a new section to Chapter 285, RSMo prohibiting residency requirements for public safety employees in the City of St. Louis so long as the employee's residence is located within a one-hour response time, and requiring that the provision expire after three years.

Seal

IN WITNESS WHEREOF, I have hereunto set
my hand and caused to be affixed the Great Seal
of the State of Missouri, in the City of Jefferson,
on this 10th day of August, 2020.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE

On motion of Senator Bernskoetter, the Senate adjourned until 11:00 a.m., Friday, August 21, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

SEVENTH DAY—FRIDAY, AUGUST 21, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

RESOLUTIONS

On behalf of Senator Riddle, Senator Bernskoetter offered Senate Resolution No. 34, regarding Vicki Questar, Holts Summit, which was adopted.

On behalf of Senator Riddle, Senator Bernskoetter offered Senate Resolution No. 35, regarding Sergeant Dennis Rainey, Advance, which was adopted.

On behalf of Senator Schatz, Senator Bernskoetter offered Senate Resolution No. 36, regarding Kenneth A. Bolte, New Haven, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 37, regarding the Fortieth Wedding Anniversary of David and Maryann Knorr, Saint Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 38, regarding the Fiftieth Wedding Anniversary of Ervin (Bubby) and Vickie Parmer, Saint Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 39, regarding the Fiftieth Wedding Anniversary of Ronnie and Eilean McCauley, Saint Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 40, regarding the Fiftieth Wedding Anniversary of Ronald and Sandra Nichols, Saint Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 41, regarding the Fiftieth Wedding Anniversary of Jim and Janie Walker, Saint Joseph, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 42, regarding the One Hundred Twenty-fifth Anniversary of Trinity Lutheran Church, Russellville, which was adopted.

On behalf of Senator Luetkemeyer, Senator Bernskoetter offered Senate Resolution No. 43, regarding Police Chief Terry Blanton, Plattsburg, which was adopted.

On behalf of Senator Hegeman, Senator Bernskoetter offered Senate Resolution No. 44, regarding Cole Soptic, Trenton, which was adopted.

On behalf of Senator Koenig, Senator Bernskoetter offered Senate Resolution No. 45, regarding Edward F. Kirk Ucinski, IV, Fenton, which was adopted.

On motion of Senator Bernskoetter, the Senate adjourned until 11:00 a.m., Friday, August 28, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

EIGHTH DAY—FRIDAY, AUGUST 28, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 46, regarding Amy Redus, Marionville, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 47, regarding Aurora Future Farmers of America, Lawrence County, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 48, regarding Central Bank of Branson, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 49, regarding the Sixtieth Wedding Anniversary of Burnis and Edna Lou Myers, Purdy, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 50, regarding Benjamin Walworth, Branson, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 51, regarding the Eighty-fifth Birthday of Teresa (Nolan) Heeter, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 52, regarding Murray Bishoff, Pierce City, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 53, regarding Elegan Kramer, which was adopted.

On behalf of Senator Brown, Senator Rowden offered Senate Resolution No. 54, regarding the Eightieth Birthday of Lois Margaret Forbes, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 55, regarding the City of Gower, which was adopted.

On behalf of Senator Williams, Senator Rowden offered Senate Resolution No. 56, regarding Robert Taylor Sr., St. Louis, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 57, regarding Russellville Gold Star families, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 58, regarding the Sixty-fifth Wedding Anniversary of Charles and Rosalie Shields, St. Joseph, which was adopted.

On behalf of Senator Hoskins, Senator Rowden offered Senate Resolution No. 59, regarding Kathryn Ray-Smith, Warrensburg, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 60, regarding the Ninetieth Birthday of Robert H. Denker Sr., California, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 6639**.

HOUSE RESOLUTION NO. 6639

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the One Hundredth General Assembly, Second Regular Session, inform the Senate that the House duly convened in the First Extraordinary Session of the Second Regular Session on Monday, July 27, 2020, and is convened in full session and ready for consideration of its business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 11**, entitled:

An Act to repeal section 568.045, RSMo, and to enact in lieu thereof one new section relating to the offense of endangering the welfare of a child in the first degree, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to forfeiture by wrongdoing, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 66**, entitled:

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to witness protection

programs, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 46**, entitled:

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to residency requirements for certain municipal personnel, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 16**, entitled:

An Act to repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Monday, August 31, 2020.

SENATE CALENDAR

NINTH DAY—MONDAY, AUGUST 31, 2020

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 11-Schroer
HCS for HB 2
HB 66-Patterson

HCS for HB 46
HCS for HB 16

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

NINTH DAY—MONDAY, AUGUST 31, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Luetkemeyer, Senator Schatz offered Senate Resolution No. 61, regarding the Fiftieth Wedding Anniversary of Ronald and Leslie Blakley, Rushville, which was adopted.

On behalf of Senator Luetkemeyer, Senator Schatz offered Senate Resolution No. 62, regarding the Sixty-third Wedding Anniversary of Mr. and Mrs. Gene Palmer, Platte City, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 11—Transportation, Infrastructure and Public Safety.

HCS for HB 2—Judiciary and Civil and Criminal Jurisprudence.

HB 66—Transportation, Infrastructure and Public Safety.

HCS for HB 46—Transportation, Infrastructure and Public Safety.

HCS for HB 16—Judiciary and Civil and Criminal Jurisprudence.

On motion of Senator Schatz, the Senate adjourned until 4:00 p.m., Tuesday, September 1, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

TENTH DAY—TUESDAY, SEPTEMBER 1, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Thus far the Lord has helped us.” (I Samuel 7:12b)

Heavenly Father, we gather once more knowing that You continue to be an ever-present help in bringing us together and in all that lies before us this day. Lord help us to be mindful of our obligations as we seek justice and do all that is good and needed. May we grow in our willingness to give of ourselves and share with one another the joy of Your presence with us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Friday, August 7, 2020; Thursday, August 13, 2020; Friday, August 21, 2020; Friday, August 28, 2020 and Monday, August 31, 2020 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Emery
Hegeman	Hough	Libla	Luetkemeyer	May	O’Laughlin	Onder
Riddle	Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford
Walsh	White	Wieland	Williams—25			

Absent—Senators

Eigel	Hoskins	Koenig	Nasheed—4
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Absent with leave—Senators

Cunningham	Schupp—2
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 63, regarding Natalie Scherr, Kirkwood, which was adopted.

Senator Burlison offered Senate Resolution No. 64, regarding the Isaac Garrison Chapter of the Society of the Daughters of the American Revolution, Nixa, which was adopted.

On behalf of Senator Hoskins, Senator Rowden offered Senate Resolution No. 65, regarding the Fiftieth Wedding Anniversary of Robert Howard Kerr Jr. and Dee Ann Kerr, Warrensburg, which was adopted.

Senator Brown offered Senate Resolution No. 66, regarding the Ninety-seventh Birthday of Freda Brown, Rolla, which was adopted.

Senator Onder offered the following resolution:

SENATE RESOLUTION NO. 67

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the Teen Eagles give high school students leadership development and an outlet for their Biblically-centered and political values. Today, Teen Eagles strives to develop the next generation of leaders, communicators, and movers-and-shakers in society.

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, One Hundredth General Assembly, Second Regular Session, hereby grant the Teen Eagles permission to use the Senate Chamber and Hearing Rooms on Friday, October 23, 2020 from 10:00 a.m. to 3:00 p.m. for the purpose of holding a mock legislative session.

Senator Onder requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 67** up for adoption, which request was granted.

On motion of Senator Onder, **SR 67** was adopted.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 66**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 46**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 11**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Luetkemeyer, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 2**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wallingford assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **HB 11**; **HB 66**; and **HCS for HB 16**, with **SCS** to the Committee on Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

September 1, 2020

Adriane Crouse

Secretary of the Senate

201 W. Capitol Ave. Rm 325

Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following changes to committees:

I remove Senator Mike Cunningham from the committee on Fiscal Oversight and appoint Senator Bill White. In addition, I appoint Senator David Sater Chairman of the committee on Fiscal Oversight.

Sincerely,



President Pro Tem

On motion of Senator Rowden, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY—WEDNESDAY, SEPTEMBER 2, 2020

FORMAL CALENDAR

HOUSE BILLS ON THIRD READING

HB 66-Patterson (Luetkemeyer)
(In Fiscal Oversight)
HCS for HB 46 (Libla)

HB 11-Schroer (Libla)
(In Fiscal Oversight)
HCS for HB 2 (Libla)

HCS for HB 16, with SCS (Libla)
(In Fiscal Oversight)

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Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

ELEVENTH DAY—WEDNESDAY, SEPTEMBER 2, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Take care that you do not forget the Lord your God.” (Deuteronomy 8:11a)

O Lord as we gather to do that which is necessary in concluding our work here this day we do so knowing You have blessed us with Your guidance and care. We are grateful for Your presence in our lives and mindful of our need and dependence on You our God. We ask that You will continue to watch our “going out and coming in,” and may we seek Your will for us as we travel the path You have laid out before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

REPORTS OF STANDING COMMITTEES

Senator Sater, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HB 11**; **HCS** for **HB 16**, with **SCS**; and **HB 66**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF HOUSE BILLS

HB 66, introduced by Representative Patterson, entitled:

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to witness protection programs, with an emergency clause.

Was taken up by Senator Luetkemeyer.

On motion of Senator Luetkemeyer, **HB 66** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senator Cunningham—1

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	Nasheed	O’Laughlin	Onder	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senator Cunningham—1

Vacancies—3

On motion of Senator Luetkemeyer, title to the bill was agreed to.

Senator Luetkemeyer moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HCS for HB 46, entitled:

An Act to repeal section 84.344, RSMo, and to enact in lieu thereof two new sections relating to residency requirements for certain municipal personnel, with an emergency clause.

Was taken up by Senator Libla.

On motion of Senator Libla, **HCS for HB 46** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	O’Laughlin
Onder	Riddle	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland—25			

NAYS—Senators

Arthur	May	Nasheed	Rizzo	Williams—5
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Onder	Riddle	Rowden	Sater	Schatz	Schupp
Wallingford	Walsh	White	Wieland—25			

NAYS—Senators

May	Nasheed	Rizzo	Sifton	Williams—5
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Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—3

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HB 11, introduced by Representative Schroer, entitled:

An Act to repeal section 568.045, RSMo, and to enact in lieu thereof one new section relating to the offense of endangering the welfare of a child in the first degree, with penalty provisions and an emergency clause.

Was taken up by Senator Libla.

Senator Hough assumed the Chair.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 11, Page 1, Section 568.045, Line 12, by striking the opening and closing brackets and bolded word on said line.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Libla, **HB 11**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senator Burlison—1

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—3

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
Nasheed	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

NAYS—Senator Burlison—1

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—3

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

HCS for HB 2, entitled:

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to forfeiture by wrongdoing, with and emergency clause.

Was taken up by Senator Libla.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 2, Page 1, In the Title, Lines 2-3, by striking the words “forfeiture by wronging” and inserting in lieu thereof the following: “criminal procedure”; and

Further amend said bill and page, Section A, line 2, by inserting after all of said line the following:

“27.120. 1. The provisions of this section shall apply to any city not within a county.

2. The attorney general shall have authority to prosecute under the provisions of this section if:

(1) A written request of the attorney general has been made by the chief law enforcement officer of the investigative agency for the alleged criminal offense or offenses;

(2) Ninety days or more have passed since the alleged commission of a violation of section 565.020 or 565.021; and

(3) A complaint, information, or indictment charging a violation of sections 565.020 or 565.021 has not been filed or has been filed and dismissed.

3. The attorney general may commence and prosecute any alleged violation of section 565.020 or 565.021 by filing a complaint, information, or indictment. If the attorney general commences and prosecutes an action pursuant to this section, he or she may commence and prosecute any additional violation that was part of the same course of conduct as the violation of section 565.020 or 565.021.

4. If the attorney general commences and prosecutes an action pursuant to this section, the attorney general shall exercise all authority, duties, rights, and responsibilities in the matter exclusive of any circuit attorney. No circuit attorney shall have the authority to commence, prosecute, dismiss, or otherwise effect any criminal action if the attorney general commences and prosecutes an action under this section and the circuit attorney shall, within fifteen days of the attorney general commencing prosecution under this section, transmit to the attorney general all materials collected or prepared by the circuit attorney related to the alleged criminal violation or violations.

5. In all such proceedings authorized under this section, the attorney general may appear in person or by appointing his or her assistant attorneys general before any court of record or grand jury and exercise all the powers and perform all the duties in respect to such actions or proceedings

which a circuit attorney would otherwise be authorized or required to exercise or perform.

6. Upon any conviction by the attorney general pursuant to this section, he or she shall have exclusive authority to represent the state in all post-conviction relief proceedings under sections 547.360 and 547.370. The attorney general shall exercise all the powers and perform all the duties in respect to such actions and proceedings which a circuit attorney would otherwise be authorized or required to exercise or perform under sections 547.360 and 547.370.

7. The provisions of this section shall apply to criminal offenses occurring before or after the effective date of this section.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Sifton raised the point of order that SA 1 is out of order as it goes beyond the scope and original purpose of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

President Pro Tem Schatz assumed the Chair.

Senator Hough assumed the Chair.

Senator Nasheed offered SA 1 to SA 1, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 1, Section 27.120, Line 13, by striking the words “days or more” and inserting in lieu thereof the following: **“but not more than one hundred and twenty days”**.

Senator Nasheed moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

President Pro Tem Schatz assumed the Chair.

At the request of Senator Nasheed, the above amendment was withdrawn.

Senator Nasheed offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 1, Section 27.120, Lines 6-7, by striking the words “1. The provisions of this section shall apply to any city not within a county.”; and

Further amend said amendment, page 2, line 7, by inserting after the first use of the word “circuit” the following: **“or prosecuting”**; and further amend said line by inserting after the second use of the word “circuit” the following: **“or prosecuting”**; and further amend line 11, by inserting after the word “circuit” the following: **“or prosecuting”**; and further amend line 14, by inserting after the word “circuit” the following: **“or prosecuting”**; and further amend line 20, by inserting after the word “circuit” the following: **“or prosecuting”**; and further amend line 28, by inserting after the word “circuit” the following: **“or**

prosecuting"; and

Further renumber the remaining subsections accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

President Kehoe assumed the Chair.

Senator Nasheed offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 1, Section 27.120, Line 7, by striking the words "city within a county" and inserting in lieu thereof the following: **"the prosecuting attorney with jurisdiction over any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants"**; and

Further amend said amendment, page 2, line 7, by striking the first use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend said line by striking the second use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 11, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 14, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 20, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 28, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Nasheed offered **SA 3** to **SA 1**:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 1, Section 27.120, Line 7, by striking the words "city within a county" and inserting in lieu thereof the following: **"the prosecuting attorney with jurisdiction over any city of the fourth classification with more than ten thousand but fewer than eleven thousand four hundred inhabitants and located in more than one county"**; and

Further amend said amendment, page 2, line 7, by striking the first use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend said line by striking the second use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 11, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 14, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 20, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 28, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**.

Senator Nasheed moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

Senator Emery raised the point of order that **SA 3 to SA 1** is out of order as it exceeds the scope of the Governor's Extra Session call.

President Kehoe assumed the Chair.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Nasheed offered **SA 4 to SA 1**:

SENATE AMENDMENT NO. 4 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 1, Section 27.120, Line 7, by striking the words "city within a county" and inserting in lieu thereof the following: **"any prosecuting attorney with jurisdiction over any city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants"**; and

Further amend said amendment, page 2, line 7, by striking the first use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend said line by striking the second use of the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 11, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 14, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 20, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**; and further amend line 28, by striking the word "circuit" and inserting in lieu thereof the following: **"prosecuting"**.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Nasheed offered **SA 5 to SA 1**:

SENATE AMENDMENT NO. 5 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 2, Page 3, Section 27.120, Line 4, by inserting after the word "section." the following: "

8. Nothing in this section shall be construed to prevent the circuit attorney from engaging in legal action to remedy wrongful convictions."

Senator Nasheed moved that the above amendment be adopted.

Senator Emery raised the point of order that **SA 5 to SA 1** is out of order as it exceeds the scope of the Governor's Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

At the request of Senator Libla, **HCS for HB 2**, with **SA 1** and **SA 5 to SA 1** (pending), was placed on the Informal Calendar.

HCS for HB 16, with **SCS**, entitled:

An Act to repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the

offense of unlawful transfer of weapons, with penalty provisions and an emergency clause.

Was taken up by Senator Libla.

SCS for HCS for HB 16, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 16

An Act to repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions.

Was taken up.

Senator Libla moved that **SCS for HCS for HB 16** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, Section A, Line 2, by inserting after all of said line the following:

“571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise provided by sections 571.101 to 571.121, if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use into any area where firearms are restricted under section 571.107; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 579.015; **or**

(12) Carries a concealed firearm upon or about his or her person or any other weapon capable of lethal use into a city not within a county, unless he or she has a valid concealed carry permit pursuant to section 571.101 to 571.121. The provisions of this subdivision shall expire on August 31, 2023.

2. Subdivisions (1), (8), [and] (10), **and (12)** of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney

or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111;

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district member who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), [and] (10), **and (12)** of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), [and] (10), **and (12)** of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

7. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity

sponsored or sanctioned by school officials or the district school board.

8. A person who commits the crime of unlawful use of weapons under:

(1) Subdivision (2), (3), (4), [or] (11), **or (12)** of subsection 1 of this section shall be guilty of a class E felony;

(2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

12. As used in this section “qualified retired peace officer” means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

13. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Riddle raised the point of order that **SA 1** is out of order as it exceeds the scope of the Governor’s Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator May offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, In the Title, Line 3, by striking “the offense of unlawful transfer of weapons” and inserting in lieu thereof the following: “public safety”; and

Further amend said bill, page 1, section A, line 2, by inserting after all of said line the following:

“211.211. 1. A child is entitled to be represented by counsel in all proceedings under subdivision (2) or (3) of subsection 1 of section 211.031 and by a guardian ad litem in all proceedings under subdivision (1) of subsection 1 of section 211.031.

2. The court shall appoint counsel for a child prior to the filing of a petition if a request is made therefor to the court and the court finds that the child is the subject of a juvenile court proceeding and that the child

making the request is indigent.

3. **(1)** When a petition has been filed under subdivision (2) or (3) of subsection 1 of section 211.031, the court shall appoint counsel for the child except if private counsel has entered his or her appearance on behalf of the child or if counsel has been waived in accordance with law; **except that, counsel shall not be waived for any proceeding specified under subsection 10 of this section.**

(2) If a child waives his or her right to counsel, such waiver shall be made in open court and be recorded and in writing and shall be made knowingly, intelligently, and voluntarily. In determining whether a child has knowingly, intelligently, and voluntarily waived his or her right to counsel, the court shall look to the totality of the circumstances including, but not limited to, the child's age, intelligence, background, and experience generally and in the court system specifically; the child's emotional stability; and the complexity of the proceedings.

4. When a petition has been filed and the child's custodian appears before the court without counsel, the court shall appoint counsel for the custodian if it finds:

- (1) That the custodian is indigent; and
- (2) That the custodian desires the appointment of counsel; and
- (3) That a full and fair hearing requires appointment of counsel for the custodian.

5. Counsel shall be allowed a reasonable time in which to prepare to represent his **or her** client.

6. Counsel shall serve for all stages of the proceedings, including appeal, unless relieved by the court for good cause shown. If no appeal is taken, services of counsel are terminated following the entry of an order of disposition.

7. The child and his **or her** custodian may be represented by the same counsel except where a conflict of interest exists. Where it appears to the court that a conflict exists, it shall order that the child and his **or her** custodian be represented by separate counsel, and it shall appoint counsel if required by subsection 3 or 4 of this section.

8. When a petition has been filed, a child may waive his **or her** right to counsel only with the approval of the court **and if such waiver is not prohibited under subsection 10 of this section. If a child waives his or her right to counsel for any proceeding except proceedings under subsection 10 of this section, the waiver shall only apply to that proceeding. In any subsequent proceeding, the child shall be informed of his or her right to counsel.**

9. Waiver of counsel by a child may be withdrawn at any stage of the proceeding, in which event the court shall appoint counsel for the child if required by subsection 3 of this section.

10. A child's right to be represented by counsel shall not be waived in any of the following proceedings:

- (1) At a detention hearing under Missouri supreme court rule 127.08;**
- (2) At a certification hearing under section 211.071 or a dismissal hearing under Missouri supreme court rule 129.04;**
- (3) At an adjudication hearing under Missouri supreme court rule 128.02 for any misdemeanor or felony offense, including the acceptance of an admission;**

(4) At a dispositional hearing under Missouri supreme court rule 128.03; or

(5) At a hearing on a motion to modify or revoke supervision under subdivision (2) or (3) of subsection 1 of section 211.031.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Emery raised the point of order that **SA 2** is out of order as it exceeds the scope of the Governor’s Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Crawford assumed the Chair.

Senator Burlison offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, Section 571.060, Line 16, by striking “loans” and inserting in lieu thereof the following: **“lends”**.

Senator Burlison moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, Section 571.060, Line 9, by inserting after “alleged” the following: **“felony offense if the person charged under this subdivision has been convicted of or pleads guilty or nolo contendere to the”**.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Emery offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, Section 571.060, Line 15, by inserting after “duty” the following: **“. The provisions of this subdivision shall not apply to any person within the third degree of consanguinity to the child if such person reasonably believes that he or she has the consent of the child’s custodial parent or guardian”**; and

Further amend said bill and section, Page 2, Line 20, by inserting after “duty” the following: **“. The provisions of this subdivision shall not apply to any person within the third degree of consanguinity to the child if such person reasonably believes that he or she has the consent of the child’s custodial parent or guardian”**.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Libla offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, In the Title, Line 3, by striking the words “the offense of unlawful transfer of weapons” and inserting in lieu thereof the following: **“public safety”**; and

Further amend said bill and page, Section A, line 2, by inserting after all of said line the following:

“211.600. 1. The office of state courts administrator shall collect information related to the filing and disposition of petitions to certify juveniles pursuant to section 211.071.

2. The data collected pursuant to this section shall include the following:

- (1) The number of certification petitions filed annually;**
- (2) The disposition of certification petitions filed annually;**
- (3) The offenses for which certification petitions are filed annually;**
- (4) The race of the juveniles for whom the certification petitions are filed annually; and**
- (5) The number of juveniles who have waived their right to counsel.**

3. The data collected pursuant to this section shall be made available annually to juvenile officers, judges of the juvenile courts, juvenile court commissioners, the president pro tempore of the senate, and the speaker of the house of representatives.

217.345. 1. Correctional treatment programs for [first] offenders **under eighteen years of age** in the department shall be established, subject to the control and supervision of the director, and shall include such programs deemed necessary and sufficient for the successful rehabilitation of offenders.

2. [Correctional treatment programs for offenders who are younger than eighteen years of age shall be established, subject to the control and supervision of the director. By January 1, 1998, such] Programs **established pursuant to this section** shall include physical separation of offenders who are younger than eighteen years of age from offenders who are eighteen years of age or older **and shall include educational programs that award a high school diploma or its equivalent.**

3. [The department shall have the authority to promulgate rules pursuant to subsection 2 of section 217.378 to establish correctional treatment programs for offenders under age eighteen. Such rules may include:

(1) Establishing separate housing units for such offenders; and

(2) Providing housing and program space in existing housing units for such offenders that is not accessible to adult offenders.

4. The department shall have the authority to determine the number of juvenile offenders participating in any treatment program depending on available appropriations.] The department may contract with any private or public entity for the provision of services and facilities for offenders under age eighteen. The department shall apply for and accept available federal, state and local public funds including project demonstration funds as well as private moneys to fund such services and facilities.

[5.] **4. The department shall develop and implement an evaluation process for all juvenile offender programs.”; and**

Further amend the title and enacting clause accordingly.

Senator Libla moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 7:**

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, In the Title, Line 3 of the title, by striking “the offense of unlawful transfer of weapons” and inserting in lieu thereof the following: “the sale or transfer of weapons”; and

Further amend said bill, Page 2, Section 571.060, Line 28, by inserting after all of said line the following:

“571.200. As used in section 571.202, the following terms shall mean:

(1) “Law enforcement officer”, any person employed by the United States, or a state, county, city, municipality, village, township, or other political subdivision as a police officer, peace officer, or in some like position involving the enforcement of the law and protection of the public interest;

(2) “Licensed firearms dealer”, “licensed dealer”, or “dealer”, a person who has a valid federal firearms dealer license and all additional licenses required by state or local law to engage in the business of selling or transferring firearms;

(3) “Person”, any individual, corporation, company, association, firm, partnership, club, organization, society, joint stock company, or other entity.

571.202. 1. This section shall be known and cited as the “Violent History Checks Act.”

2. No person shall sell or otherwise transfer a firearm, including selling or transferring a firearm via the internet, unless:

(1) Such person is a licensed firearms dealer;

(2) The purchaser or other transferee is a licensed firearms dealer; or

(3) The requirements of subsections 3 or 4 of this section are met.

3. If neither party to a prospective firearms transaction is a licensed firearms dealer, the parties to the transaction shall complete the sale or other transfer through a licensed firearms dealer as follows:

(1) The dealer shall process the sale or other transfer as if he or she were the seller or other transferor. The dealer shall comply with all requirements of federal, state, and local law that would apply if he or she were the seller or other transferor of the firearm;

(2) The dealer shall conduct a violent history check on the purchaser or other transferee in accordance with 18 U.S.C. Section 922(t), and state and local law and, if the transaction is not prohibited, deliver the firearm to that person after all other legal requirements are met; and

(3) The dealer may require the purchaser or other transferee to pay a fee covering the administrative costs incurred by the dealer for facilitating the transfer of the firearm, plus applicable fees pursuant to federal, state, and local law.

4. A trustee, under the authority of a trust, or a personal representative, executor, or administrator of an estate shall, before transferring any firearm to an heir or devisee, complete the transfer through a licensed dealer according to the provisions of subdivisions (1) and (2) of subsection 3 of this section. If the transaction is prohibited, then the heir or devisee may authorize a transfer of a firearm to a specific individual to whom the transaction is not prohibited, or the dealer may sell the

firearm and give the proceeds to the heir or devisee.

5. Notwithstanding any provision of law to the contrary, neither the state nor any political subdivision shall require any federally licensed firearms dealer to supply a list of all of his or her transactions conducted under the provisions of subsections 2 or 3 of this section. All records shall be maintained by the licensed dealer in accordance with federal law.

6. The provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any law enforcement or corrections agency, or law enforcement or corrections officer acting within the course and scope of his or her employment or official duties;

(2) A United States Marshal or member of the Armed Forces of the United States or the National Guard, or a federal official transferring or receiving a firearm as required in the operation of his or her official duties;

(3) A gunsmith who receives a firearm solely for the purposes of service or repair, or the return of the firearm to its owner by the gunsmith;

(4) A common carrier, warehouseman, or other person engaged in the business of transportation or storage, to the extent that the receipt of any firearm is in the ordinary course of business and not for the personal use of any such person;

(5) A person who is loaned a firearm solely for the purpose of shooting at targets, if the loan occurs on the premises of a properly licensed target facility, and the firearm is at all times kept within the premises of the target range;

(6) A person who is under eighteen years of age who is loaned a firearm for lawful hunting or sporting purposes or for any other lawful recreational activity while under the direct supervision and control of a responsible adult; or

(7) A person who is eighteen years of age or older who is loaned a firearm while the person is accompanying the lawful owner and using the firearm for lawful hunting or sporting purposes or for any other lawful recreational activity.

7. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment for a period not exceeding six months, or both. Such person shall be guilty of a separate offense for each and every day during any portion of which a violation of any provision of this section is committed or continued by such person and shall be punished accordingly.

8. In addition to any other penalty or remedy, the investigating law enforcement agency shall report any violation of this section committed by a licensed firearms dealer to the attorney general who shall, in turn, report the violation to the Bureau of Alcohol, Tobacco, Firearms and Explosives within the United States Department of Justice.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Luetkemeyer raised the point of order that SA 7 is out of order as it exceeds the scope of the Governor’s Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator May offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 16, Page 1, In the Title, Line 3, by striking “the offense of unlawful transfer of weapons” and inserting in lieu thereof the following: “public safety”; and

Further amend said bill, page 2, section 571.060, line 28, by inserting after all of said line the following:

“571.070. 1. A person commits the offense of unlawful possession of a firearm if such person knowingly has any firearm in his or her possession and:

(1) Such person has been convicted of a felony under the laws of this state, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a felony; [or]

(2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent; or

(3) Such person is subject to an extreme risk order of protection as such term is defined in section 571.074.

2. Unlawful possession of a firearm is a class D felony.

3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to the possession of an antique firearm.

571.074. 1. This section creates an extreme risk order of protection to provide due process procedures for keeping guns out of the hands of those who may harm themselves or others. The court may grant an extreme risk order of protection provided that:

(1) A petition for an extreme risk order of protection shall:

(a) Allege that the respondent poses a significant danger of causing personal injury to self or others by: having in his or her custody or control, purchasing, possessing, or receiving a firearm, and be accompanied by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;

(b) Identify the number, types, and locations of any firearms the petitioner believes to be in the respondent’s current ownership, possession, custody, or control;

(c) Identify whether there is a pending lawsuit, complaint, petition, or other action between the parties to the petition under the laws of Missouri;

(d) Identify if petitioner has actual knowledge that respondent carries a firearm as a condition of respondent’s employment;

(2) Upon the filing of a petition seeking an extreme risk order of protection and if petitioner proves by a preponderance of the evidence that an immediate and significant danger exists of the respondent causing personal injury to self or others by: having in his or her custody or control, purchasing, possessing, or receiving a firearm, the court shall immediately issue an ex parte order of protection. An ex parte order shall be entered by the court on the same day as the filing or the next day the court is in session. The ex parte order takes effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the petition;

(3) Upon issuance of any ex parte order of protection under subdivision (2) of this subsection, the court shall order the respondent to surrender to the local law enforcement agency where the respondent resides, all firearms in the respondent's custody, control, or possession. The law enforcement officer serving any ex parte order of protection shall provide the respondent to the order an opportunity to comply with the order by surrendering all firearms in his or her custody, control, or possession. If the respondent does not comply, the law enforcement officer serving the order shall conduct a lawful search and seizure of any firearms of the respondent and in any area where probable cause exists that a firearm to be surrendered pursuant to the order is located. The law enforcement agency shall hold all surrendered firearms until a hearing is held on the petition for the extreme risk order of protection.

(4) Upon receiving a petition seeking an extreme risk order of protection, the court shall conduct a hearing on whether to issue the order within fourteen days after the petition is filed.

The court shall make as many as three good faith attempts to notify the respondent of the hearing once the petition is filed for the purpose of providing the respondent the opportunity to be present and represent him or herself at the hearing. Notice may be made by phone, email, certified mail, or court summons. The court shall maintain a record of each attempt;

(5) At the hearing, if the petitioner has proved the allegation that the respondent poses a significant danger to him or herself or others by clear and convincing evidence, the court shall issue a full extreme risk order of protection for a period of time of one year;

(6) The court clerk or administrator shall verify the terms of any existing order governing the parties. The court shall not delay granting relief because of the existence of a pending action between the parties or the necessity of verifying the terms of an existing order. A petition for an extreme risk protection order shall be granted whether or not there is a pending action between the parties;

(7) If the petitioner is a law enforcement officer or agency, the petitioner shall make a good faith effort to provide notice to a family or household member of the respondent and to any known third party who may be at risk of violence. The notice shall state that the petitioner intends to petition the court for an extreme risk order of protection or has already done so, and include referrals to appropriate resources, including mental health, domestic violence, and counseling resources. The petitioner shall attest in the petition to having provided such notice, or attest to the steps that shall be taken to provide such notice;

(8) If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner's family or household, the petitioner's address shall be omitted from all documents filed with the court. If the petitioner has not disclosed an address under this subsection, the petitioner shall designate an alternative address at which the respondent may serve notice of any motions. If the petitioner is a law enforcement officer or agency, the address of record shall be that of the law enforcement agency;

(9) No fees for filing or service of process may be charged by a court or any public agency to petitioners seeking relief under this subsection. Petitioners shall be provided the necessary number of certified copies, forms, and instructional brochures free of charge;

(10) A person is not required to post a bond to obtain relief in any proceeding under this

subsection.

2. Upon issuance of any extreme risk order of protection under this section, the court shall order the respondent to surrender to the local law enforcement agency where the respondent resides, all firearms in the respondent's custody, control, or possession. If the respondent has been identified in the petition as being required to carry a firearm as a condition of the respondent's employment, the court shall notify the respondent's employer of the existence of the order. If the respondent holds a concealed carry permit pursuant to section 571.101, the court shall order a revocation of the concealed carry permit.

(1) The law enforcement officer serving any extreme risk order of protection shall provide the respondent to the order an opportunity to comply with the order by surrendering all firearms in his or her custody, control, or possession. If the respondent does not comply, the law enforcement officer serving the order shall:

(a) Conduct a lawful search of the respondent and any area where probable cause exists that a firearm to be surrendered pursuant to the order is located; and

(b) Take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search conducted pursuant to paragraph (a) of this subdivision.

(2) If personal service by a law enforcement officer is not possible, or not required because the respondent was present at the extreme risk order of protection hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within forty-eight hours of being served with the order by alternate service or within forty-eight hours of the hearing or final decision at which the respondent was present.

(3) At the time of surrender, a law enforcement officer taking possession of a firearm shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. Within seventy-two hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that his or her law enforcement agency retains a copy of the receipt.

(4) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms as required by an order issued under subsections 1 and 2 of this section, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms in his or her possession, custody, or control. If probable cause exists, the court shall issue a warrant describing the firearms and authorizing a search of the locations where the firearms are reasonably believed to be and the seizure of any firearms discovered pursuant to such search.

(5) If a person other than the respondent claims title to any firearms surrendered pursuant to subsections 1 and 2 of this section, and he or she is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm shall be returned to him or her, provided that:

(a) The firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm; and

(b) The firearm is not otherwise unlawfully possessed by the owner.

(6) A respondent to an extreme risk order of protection may file a motion to modify or rescind that order of protection. The respondent may request a hearing on such a motion with the court that issued the original extreme risk order of protection. The court shall conduct a hearing on the motion to modify or rescind an extreme risk order of protection within fourteen days after the motion is filed. At the hearing, if the respondent has proved by clear and convincing evidence that the extreme risk order of protection must be modified or rescinded, the court shall modify or rescind the extreme risk order of protection.

3. If an extreme risk order of protection is terminated or expires without renewal, a law enforcement agency holding any firearm that has been surrendered pursuant to subsections 1 and 2 of this section shall return any surrendered firearm requested by a respondent only after confirming, through a background check administered by the state highway patrol under section 43.543, that the respondent is currently eligible to own or possess firearms under federal and state law and after confirming with the court that the extreme risk order of protection has terminated or has expired without renewal.

4. (1) The petitioner may move to renew the extreme risk order of protection if probable cause is shown that the respondent continues to pose a significant risk of personal injury to him or herself or others by possessing a firearm. The extreme risk order of protection may be renewed for up to one year from the expiration of the preceding extreme risk order of protection. Written notice of a hearing on the motion to renew an extreme risk order of protection shall be given to the respondent by the court.

(2) A law enforcement agency shall, if requested, provide prior notice of the return of a firearm to a respondent to family or household members of the respondent.

(3) Any firearm surrendered by a respondent pursuant to subsection 2 of this section that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

5. The clerk of any court that issues an extreme risk order of protection shall send the Missouri state highway patrol a copy of the order issued by that court within forty-eight hours of the court issuing the order. Upon receiving an extreme risk order of protection, the Missouri state highway patrol shall enter the extreme risk order of protection into the Missouri uniform law enforcement system (MULES) within forty-eight hours of receiving notice of the order.

6. (1) A person who refuses or fails to comply with an extreme risk order of protection shall be subject to the criminal contempt powers of the court. The criminal penalty provided for under this subsection may be imposed in addition to a penalty imposed for another criminal offense arising from the same conduct.

(2) A person who knowingly and intentionally makes a false statement to the court in the petition or in support of the petition is subject to the contempt powers of the court.

7. For the purposes of this section, the following terms mean:

(1) "Child", any person under eighteen years of age unless otherwise emancipated;

(2) "Extreme risk order of protection", either an ex parte order of protection or full order of

protection filed by a family or household member of the respondent or a law enforcement officer or agency;

(3) “Ex parte order of protection”, an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;

(4) “Family” or “household member”, spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;

(5) “Full order of protection”, an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;

(6) “Order of protection”, either an ex parte order of protection or a full order of protection;

(7) “Petitioner”, a family or household member, a law enforcement officer, or a person filing on behalf of a child who has filed a verified petition pursuant to this section;

(8) “Respondent”, the family or household member against whom a verified petition has been filed or a person served on behalf of a child pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Onder raised the point of order that SA 8 is out of order as it exceeds the scope of the Governor’s Extra Session call.

The point of order was referred to the President Pro Tem, who ruled it well taken.

The Senate observed a moment of silence in memory of Officer Tamarris L. Bohannon.

Senator Libla moved that SCS for HCS for HB 16, as amended, be adopted, which motion prevailed.

On motion of Senator Libla, SCS for HCS for HB 16, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Brown	Burlison	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Koenig	Libla	Luetkemeyer	O’Laughlin	Onder
Riddle	Rizzo	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland—25			

NAYS—Senators

May	Nasheed	Williams—3
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Absent—Senator Bernskoetter—1

Absent with leave—Senators

Cunningham	Hough—2
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Vacancies—3

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden, the Senate recessed until 8:10 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

THIRD READING OF HOUSE BILLS

Senator Libla moved that **HCS** for **HB 2**, with **SA 1** and **SA 5** to **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 5 to **SA 1** was again taken up.

At the request of Senator Onder, **SA 1** was withdrawn, rendering **SA 5** to **SA 1** moot.

Senator Onder offered **SS** for **HCS** for **HB 2**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

An Act to amend chapters 27 and 491, RSMo, by adding thereto two new sections relating to criminal procedure, with an emergency clause.

Senator Onder moved that **SS** for **HCS** for **HB 2** be adopted and submitted the following privileged motion:

Motion for the Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dave Schatz

/s/ Denny Hoskins

/s/ Daniel J. Hegeman

/s/ Bob Onder

/s/ Bill White

/s/ Bill Eigel

/s/ Sandy Crawford

/s/ Ed Emery

/s/ Tony Luetkemeyer

/s/ Justin Brown

/s/ Eric Burlison

/s/ Paul Wieland

/s/ Cindy O’Laughlin

/s/ David Sater

/s/ Mike Cunningham

/s/ Wayne Wallingford

/s/ Andrew Koenig

/s/ Jeanie Riddle

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Burlison	Crawford	Cunningham	Eigel	Emery	Hegeman
Hoskins	Koenig	Luetkemeyer	O’Laughlin	Onder	Riddle	Sater
Schatz	Wallingford	White	Wieland—18			

NAYS—Senators

Arthur	Bernskoetter	Cierpiot	Libla	May	Nasheed	Rizzo
Rowden	Schupp	Sifton	Walsh	Williams—12		

Absent—Senators—None

Absent with leave—Senator Hough—1

Vacancies—3

Senator Rizzo requested verification of the roll.

Senator Libla moved that **SS** for **HCS** for **HB 2** be adopted, which motion prevailed.

Senator Libla moved that **SS** for **HCS** for **HB 2** be read the 3rd time and finally passed.

Senator Onder submitted the following privileged motion:

Motion for the Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

/s/ Dave Schatz	/s/ Justin Brown
/s/ Denny Hoskins	/s/ Eric Burlison
/s/ Daniel J. Hegeman	/s/ Paul Wieland
/s/ Bob Onder	/s/ Cindy O’Laughlin
/s/ Bill White	/s/ David Sater
/s/ Bill Eigel	/s/ Mike Cunningham
/s/ Sandy Crawford	/s/ Wayne Wallingford
/s/ Ed Emery	/s/ Andrew Koenig
/s/ Tony Luetkemeyer	/s/ Jeanie Riddle

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Burlison	Crawford	Cunningham	Eigel	Emery	Hegeman
Hoskins	Koenig	Luetkemeyer	O’Laughlin	Onder	Riddle	Sater
Schatz	Wallingford	White	Wieland—18			

NAYS—Senators

Arthur	Bernskoetter	Cierpiot	Libla	May	Nasheed	Rizzo
Rowden	Schupp	Sifton	Walsh	Williams—12		

Absent—Senators—None

Absent with leave—Senator Hough—1

Vacancies—3

Senator Libla moved that **SS** for **HCS** for **HB 2** be read the 3rd time and passed and was recognized to close.

REFERRALS

President Pro Tem Schatz referred **SS** for **HCS** for **HB 2** to the Committee on Fiscal Oversight.

On motion of Senator Rowden, the Senate recessed until 1:40 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

Senator Libla moved that **SS** for **HCS** for **HB 2** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Libla **SS** for **HCS** for **HB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Koenig	Libla	Luetkemeyer	O'Laughlin
Onder	Riddle	Rowden	Sater	Schatz	Wallingford	White

Wieland—22

NAYS—Senators

Arthur	May	Nasheed	Rizzo	Schupp	Sifton	Walsh
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Williams—8

Absent—Senators—None

Absent with leave—Senator Hough—1

Vacancies—3

The emergency clause failed of adoption by the following vote:

YEAS—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Koenig	Libla	Luetkemeyer	O'Laughlin
Onder	Riddle	Rowden	Sater	Schatz	Wallingford	White

Wieland—22

NAYS—Senators

Arthur	May	Nasheed	Rizzo	Schupp	Sifton	Walsh
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Williams—8

Absent—Senators—None

Absent with leave—Senator Hough—1

Vacancies—3

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 68, regarding Henry Grider, Mount Vernon, which was adopted.

Senator Cunningham offered Senate Resolution No. 69, regarding Samuel Hicks, Elkland, which was adopted.

Senator Sater offered Senate Resolution No. 70, regarding the Seventy-Sixth Wedding Anniversary of George and Connie Wilson, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 71, regarding the Fiftieth Wedding Anniversary of Larry and Jean Oltjenbrun, Branson West, which was adopted.

Senator Sater offered Senate Resolution No. 72, regarding Robert Wagner, which was adopted.

Senator White offered Senate Resolution No. 73, regarding Charlie 22 Outdoors Webb City, which was adopted.

Senator White offered Senate Resolution No. 74, regarding the Ninetieth Birthday of Normadine Scott, Joplin, which was adopted.

Senator Wallingford offered Senate Resolution No. 75, regarding Douglas Winter, Whitewater, which was adopted.

Senator Wallingford offered Senate Resolution No. 76, regarding Sidney Naramore, Chaffee, which was adopted.

Senator Wallingford offered Senate Resolution No. 77, regarding the Two-hundredth Anniversary of Mount Pleasant Missionary Baptist Church, Piedmont, which was adopted.

Senator Cunningham offered Senate Resolution No. 78, regarding Dr. Robert Shaw Jr., MD, FAAFP, Willow Springs, which was adopted.

Senator Nasheed, joined by the entire membership, offered Senate Resolution No. 79, regarding the death of Officer Tamarris L. Bohannon, Saint Louis, which was adopted.

COMMUNICATIONS

President Pro Tem Schatz submitted the following to the Secretary of Senate at 12:20 a.m.:

September 2, 2020

Adriane Crouse

Secretary of the Senate

201 W. Capitol Ave. Rm 325

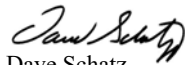
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following changes to committee:

I remove Senator Lincoln Hough from the committee on Fiscal Oversight and appoint Mike Cunningham. In addition, I appoint Senator Mike Cunningham Chairman of the committee on Fiscal Oversight.

Sincerely,



Dave Schatz

President Pro Tem

On motion of Senator Rowden, the Senate adjourned until 11:00 a.m., Thursday, September 10, 2020.

✓

Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

TWELFTH DAY—THURSDAY, SEPTEMBER 10, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

RESOLUTIONS

On behalf of Senator Wallingford, Senator Bernskoetter offered Senate Resolution No. 80, regarding the Fortieth Anniversary of Optimist International Club #30290, Cape Girardeau, which was adopted.

On behalf of Senator Libla, Senator Bernskoetter offered Senate Resolution No. 81, regarding the Poplar Bluff Chapter of the Missouri Daughters of the American Revolution, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 82, regarding the One Hundredth Anniversary of Eldon Church of the Nazarene, which was adopted.

On behalf of Senator Walsh, Senator Bernskoetter offered Senate Resolution No. 83, regarding Bellefontaine Habilitation Center, which was adopted.

On behalf of Senator Cunningham, Senator Bernskoetter offered Senate Resolution No. 84, regarding Naomi Gray, Macomb, which was adopted.

On behalf of Senator Cunningham, Senator Bernskoetter offered Senate Resolution No. 85, regarding Kathy Garrison, Mansfield, which was adopted.

On behalf of Senator Koenig, Senator Bernskoetter offered Senate Resolution No. 86, regarding Darrion Cockrell, which was adopted.

On behalf of Senator Crawford, Senator Bernskoetter offered Senate Resolution No. 87, regarding Master Sergeant Jason Glendenning, Lebanon, which was adopted.

On behalf of Senator Crawford, Senator Bernskoetter offered Senate Resolution No. 88, regarding Thomas Teters, Bolivar, which was adopted.

On motion of Senator Bernskoetter, the Senate adjourned until 2:30 p.m., Wednesday, September 16, 2020.

✓

Journal of the Senate

SECOND REGULAR SESSION

FIRST EXTRA SESSION

THIRTEENTH DAY—WEDNESDAY, SEPTEMBER 16, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I know that you can do all things, and that no purpose of yours can be thwarted.” (Job 42:2)

Heavenly Father, as we move into another day of this special session may the work we have done be in keeping with what You desire of us to do and that our actions may be helpful in providing what is needed to provide justice and fairness within our state. In Your Holy Name we pray. Amen

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Wednesday, September 2, 2020, and Thursday, September 10, 2020 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Schatz	Sifton	Wallingford	Walsh	White	Wieland

Williams—29

Absent—Senators—None

Absent with leave—Senators

Sater Schupp—2

Vacancies—3

The Lieutenant Governor was present.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 66** and **HCS** for **HB 46**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 89, regarding Robert Fudge, Salem, which was adopted.

Senator Hoskins offered Senate Resolution No. 90, regarding Kelly Murphy, Warrensburg, which was adopted.

Senator Cunningham offered Senate Resolution No. 91, regarding the death of Sergeant Justin Lee Burney, Marshfield, which was adopted.

On behalf of Senator Schupp, Senator Rizzo offered Senate Resolution No. 92, regarding the Twenty-fifth Wedding Anniversary of Julia M. Usher and Bryan F. Meyers, M.D., Webster Groves, which was adopted.

Senators May and Williams offered Senate Resolution No. 93, regarding the death of Betty Jean Kerr, St. Louis, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 94, regarding the Sixty-fifth Wedding Anniversary of Joseph and Barbara Gregory, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 95, regarding the Sixtieth Wedding Anniversary of L. B. and Deanna Newey, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 96, regarding the Sixtieth Wedding Anniversary of Second Lieutenant Larry A. Hahn and Donna Christina Cohrs, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 97, regarding the Seventy-second Wedding Anniversary of Virgil and Lula Mae Grossman, St. Joseph, which was adopted.

Senator Crawford offered Senate Resolution No. 98, regarding James “Dale” Burns, Lebanon, which was adopted.

Senator Eigel offered Senate Resolution No. 99, regarding Gary Shaw, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 100, regarding Jerry Hollingsworth, St. Peters, which was adopted.

Senator Cunningham offered Senate Resolution No. 101, regarding Climeth “Slim” Layman, West Plains, which was adopted.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

September 16, 2020

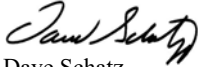
Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following changes to committee:

I remove Senator Bill White from the committee on Fiscal Oversight and appoint Senator Lincoln Hough. In addition, I appoint Senator David Sater Vice-Chairman of the committee on Fiscal Oversight.

Sincerely,



Dave Schatz

President Pro Tem

INTRODUCTION OF GUESTS

Senator Nasheed introduced to the Senate, LaTanya Reeve, St. Louis.

On motion of Senator Rowden, the Senate of the First Extra Session of the Second Regular Session of the 100th General Assembly adjourned sine die, pursuant to the Constitution.

MIKE KEHOE
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of Senate

✓

JOURNAL OF THE SENATE
ONE HUNDREDTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND EXTRA SESSION
OF THE
SECOND REGULAR SESSION

FIRST DAY—THURSDAY, NOVEMBER 5, 2020

The Senate was called to order in Extra Session by President Kehoe.

Reverend Carl Gauck offered the following prayer:

“He leads the humble in what is right, and teaches the humble his way.” (Psalm 25:9)

Holy God great is your creation. We gather thankfully for safe travel and a beautiful November day. We gather for our concern for those who continue to suffer and those who in various ways are dealing with the impact of Covid-19. Lead us to make decisions and devise a law that will be helpful to bring relief to those in need, always being mindful of Your directing our efforts. May we be truly open to Your teaching and walk the path You have chosen for each of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

GOVERNOR’S PROCLAMATION

WHEREAS, on March 13, 2020, I signed Executive Order 20-02 declaring a state of emergency in response to the spread of COVID-19 virus; and

WHEREAS, due to COVID-19, the General Assembly was only able to meet in limited fashion during the Second Regular Session of the One Hundredth General Assembly; and

WHEREAS, the United States Congress passed, and the President of the United States signed into law, four bills that awarded the State of Missouri funding including the Coronavirus Preparedness and Response Supplemental Appropriations Act, the Families First Coronavirus Response Act, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and the Paycheck Protection Program and Health Care Enhancement Act; and

WHEREAS, the aforementioned federal funding was intended for several different programs and grants across state government; and

WHEREAS, the General Assembly Truly Agreed to and Finally Passed the budget on May 8, 2020; and

WHEREAS, since the time the budget was passed by the General Assembly, additional funding has been made available to the State of Missouri through grants provided by these federal laws to help respond to COVID-19; and

WHEREAS, there is an immediate need to appropriate additional resources to respond to COVID-19 and to ensure the health and safety of the public.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundredth General Assembly of the State of Missouri in the Second Extra Session of the Second Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Thursday, November 5, 2020; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation providing for the supplemental appropriation of additional state and federal resources, including such resources necessary to respond to COVID-19;
2. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
3. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21st day of October, 2020.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	O'Laughlin	Onder	Riddle	Rizzo	Rowden	Schatz
Schupp	Sifton	Walsh	White	Wieland	Williams—27	

Absent—Senators—None

Absent with leave—Senators

Libla	Nasheed	Sater	Wallingford—4
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the One Hundredth General Assembly, Second Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the Second Extra Session of the Second Regular Session and is ready for consideration of its business.

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the One Hundredth General Assembly, that the rules of the Senate, as adopted by the One Hundredth General Assembly, Second Regular Session, be declared the rules of the Second Extra Session of the Second Regular Session.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Sam L. Alexander, 20465 South Highway RA, Fair Play, Cedar County, Missouri 65649, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2022, and until his successor is duly appointed and qualified; vice, Dr. Sam L. Alexander, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert P. Ballsrud, 6 Hill Drive, Glendale, Saint Louis County, Missouri 63122, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2025, and until his successor is duly appointed and qualified; vice, Robert P. Ballsrud, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

W. Dustin Boatwright, Independent, 460 Tulip Street, Scott City, Scott County, Missouri 63780, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2025, and until his successor is duly appointed and qualified; vice, Michael B. Pace, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Kristy Lee Boresi, Democrat, 4200 Spring Cress Drive, Columbia, Boone County, Missouri 65202, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2025, and until her successor is duly appointed and qualified; vice, Terri Loney, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Matthew D. Brandt, Independent, 1724 South Raford Drive, Springfield, Greene County, Missouri 65809, as a member of the State Board of Health and Senior Services, for a term ending October 13, 2024, and until his successor is duly appointed and qualified; vice, Dr. Matthew D. Brandt, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Dr. Stacia R. Bradley Brown, Independent, 6208 East 109th Street, Kansas City, Jackson County, Missouri 64134, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Winston Rutledge, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Tony Bryan, 720 Autumn Glen Lane, Wentzville, Saint Charles County, Missouri 63385, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, Clint L. Harris, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Richard G. Callahan, Democrat, 362 Cannondale Road, Jefferson City, Cole County, Missouri 65109, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2024, and until his successor is duly appointed and qualified; vice, Marvin O. Teer, Jr., term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

John Cauthorn, Republican, 23712 Audrain Road 364, Mexico, Audrain County, Missouri 65265, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jeffrey William Lawrence, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Doyle Childers, Republican, 420 Craig Street, Reeds Spring, Stone County, Missouri 65737, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Richard F. Stratman, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Kathy Chinn, Republican, 28088 Lynx Avenue, Macon, Macon County, Missouri 63552, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until her successor is duly appointed and qualified; vice, Jeff L. Benbrook, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stan Coday, Republican, 2165 State Highway K, Seymour, Webster County, Missouri 65746, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2024, and until his successor is duly appointed and qualified; vice, Stan Coday, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Adam Couch, Republican, 408 East Main Street Terrace, Odessa, Lafayette County, Missouri 64076, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jennifer A. Feldhaus, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Celeste Cramer, 32 Freida Lane, Clever, Stone County, Missouri 65631, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until her successor is duly appointed and qualified; vice, Wayne Feuerborn, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ron T. Darrah, HCR 73 Box 28D, Mountain Grove, Douglas County, Missouri 65711, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2025, and until his successor is duly appointed and qualified; vice, Ron T. Darrah, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Connie Diekman, Republican, 344 Elm Valley Drive, Webster Groves, Saint Louis County, Missouri 63119, as a member of the State Committee of Dietitians, for a term ending June 11, 2021, and until her successor is duly appointed and qualified; vice, Connie Diekman, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Donald P. Edinger, 4150 Northeast 63rd Terrace, Gladstone, Clay County, Missouri 64119, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2022, and until his successor is duly appointed and qualified; vice, Donald P. Edinger, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark Fohey, Democrat, 8760 County Road 422, Hannibal, Marion County, Missouri 63401, as a member of the Air Conservation Commission, for a term ending October 13, 2024, and until his successor is duly appointed and qualified; vice, Mark Fohey, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 14, 2020, while the Senate was not in session.

Shawn G. Foster, Independent, 2801 Nutall Court, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2025, and until his successor is duly appointed and qualified; vice, Garry Kemp,

term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Brian Gerau, Republican, 803 Lakeview Crossing, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2023, and until his successor is duly appointed and qualified; vice, Jason Bean, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Dr. Donna Gloe, 335 Big Timber Road, Marshfield, Webster County, Missouri 65706, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2021, and until her successor is duly appointed and qualified; vice, Mariea Snell, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Mary Beth Harper, Democrat, 643 Arbor Haven Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2025, and until her successor is duly appointed and qualified; vice, Theresa Hubbard, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Clark Hemeyer, Democrat, 55456 Seeley Lane, Frankford, Ralls County, Missouri 63441, as a member of the State Lottery Commission, for a term ending September 7, 2023, and until his successor is duly appointed and qualified; vice, John Clark Hemeyer, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Marga Hoeschler, Independent, 209 East 30th Street, Kansas City, Jackson County, Missouri 64108, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until her successor is duly appointed and qualified; vice, Andrew J. Zellers, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jerrold L. Hogan, 3497 Austin Drive, Joplin, Newton County, Missouri 64804, as a member of the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending September 30, 2024, and until his successor is duly appointed and qualified; vice, Jerrold L. Hogan, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Dr. Gayle Holliday, Democrat, 14405 East 96th Street, Kansas City, Jackson County, Missouri 64139, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jon R. Gray, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Dr. Alexander Richmond Hover Jr., Independent, 2900 North Rock Wall Lane, Ozark, Christian County, Missouri 65721, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Rebekah S. Lucas, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Jake Hummel, Democrat, 3841 Holly Hills Boulevard, Saint Louis, Saint Louis City, Missouri 63116, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Brian Nichols, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Gary Jungermann, 7353 State Road C, Fulton, Callaway County, Missouri 65251, as a member of the Missouri Workforce Development

Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, RSMO 620.511.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Bonny Kehm, 2183 Avalon Ridge Circle, Fenton, Saint Louis County, Missouri 63026, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2024, and until her successor is duly appointed and qualified; vice, Bonny Kehm, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Christopher S. Kelly, Democrat, 2706 Bristol Lake Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Helen R. Washburn, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 14, 2020, while the Senate was not in session.

Garry Kemp, Democrat, 2514 Northwest Windwood Drive, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2022, and until his successor is duly appointed and qualified; vice, Kevin C. Childress, deceased.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Tracey S.C. Lewis, Independent, 1256 West 59th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2024, and until his successor is duly appointed and qualified; vice, Tracey S.C. Lewis, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Bill Lovegreen, Republican, 501 College Park Drive, Kirksville, Adair County, Missouri 63501, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, James L. Hodge, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Michelle Luster, 718 Benvenue Drive, Saint Louis, Saint Louis City, Missouri 63137, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2021, and until her successor is duly appointed and qualified; vice, Michelle Luster, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Anita Marlay, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ashley McCarty, Democrat, 19171 State Highway 11, Kirksville, Adair County, Missouri 63501, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2024, and until her successor is duly appointed and qualified; vice, Ashley McCarty, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Monica C. McCollough, 21481 220th Street, Burlington Junction, Nodaway County, Missouri 64428, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2024, and until her successor is duly appointed and qualified; vice, Monica C. McCollough, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Julie A. Miller, 57660 Airport Road, California, Moniteau County, Missouri 65018, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2024, and until her successor is duly appointed and qualified; vice, Julie A. Miller, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Hanh Nguyen, 650 Dyer Road, Wentzville, Saint Charles County, Missouri 63385, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2024, and until his successor is duly appointed and qualified; vice, Hanh Nguyen, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Mark W. Nolte, 4634 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending September 30, 2022, and until his successor is duly appointed and qualified; vice, Michael C. Freeman, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Lisa K. Norton, Independent, 18235 State Road DD, Saint Joseph, Andrew County, Missouri 64505, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2025, and until her successor is duly appointed and qualified; vice, David G. Liechti, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark S. Owen, 6822 Northwest Kerns Drive, Parkville, Platte County, Missouri 64152, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2023, and until his successor is duly appointed and qualified; vice, Mark S. Owen, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 4, 2020, while the Senate was not in session.

Roger Parshall, Republican, 811 Elm Street, Tarkio, Atchison County, Missouri 64491, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice,

Judy Marie Wright, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Terry Rackers, Republican, 605 South Eagle Trace, Jefferson City, Cole County, Missouri 65109, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2026, and until his successor is duly appointed and qualified; vice, Ralph Caro, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Gregg A. Roberts, 3002 Frederick Avenue, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, Matthew J. Aubuchon, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Timothy Norman Shelby, Republican, 12600 Ruger Lane 1900 House, Advance, Bollinger County, Missouri 63730, as the First District Commissioner of the Bollinger County Commission, for a term ending when his successor is duly elected or appointed and qualified; vice, Roger VanGennip, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David L. Smith, 1651 North Phillips Road, Nixa, Christian County, Missouri 65714, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending September 30, 2024, and until his successor is duly appointed and qualified; vice, David L. Smith, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

P. Michael Snider, 1585 Sugar Maple Lane, Liberty, Clay County, Missouri 64068, as a member of the Missouri 911 Service Board, for a term ending April 9, 2022, and until his successor is duly appointed and qualified; vice, P. Michael Snider, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Frederic M. Steinbach, 237 South Greentrails Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until his successor is duly appointed and qualified; vice, William Skains, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Keith Dewayne Stevens, Republican, 4740 South 85th Road, Bolivar, Polk County, Missouri 65613, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2023, and until his successor is duly appointed and qualified; vice, Keith Dewayne Stevens, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

J. Mark Stidham, 13581 North Locust Street, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri 911 Service Board, for a term ending April 9, 2021, and until his successor is duly appointed and qualified; vice, J. Mark Stidham, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 21, 2020, while the Senate was not in session.

Connor Thompson, 10501 Northeast 97th Terrace, Kansas City, Clay County, Missouri 64157, as a member of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2021, and until his successor is duly appointed and qualified; vice, Janay Orange, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Shanda D. Trautman, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2020, while the Senate was not in session.

Timothy E. Wahl, Democrat, 4703 Sussex Drive, Columbia, Boone County, Missouri 65203, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2021, and until his successor is duly appointed and qualified; vice, Timothy

E. Wahl, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Virgil L. White, III, 14150 Northwest 65th Court, Kansas City, Platte County, Missouri 64152, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2023, and until his successor is duly appointed and qualified; vice, Catherine Bass Black, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

November 5, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 28, 2020, while the Senate was not in session.

Jill Williams, 8 Country Breeze Circle, Eldon, Miller County, Missouri 65026, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until her successor is duly appointed and qualified; vice, Tec Chapman, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Friday, November 13, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

SECOND DAY—FRIDAY, NOVEMBER 13, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR

STATE OF MISSOURI

November 12, 2020

TO THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE ONE HUNDREDTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,

Michael L. Parson

Governor

GOVERNOR'S PROCLAMATION

SPECIAL MESSAGE

WHEREAS, the first case of severe acute respiratory syndrome coronavirus 2 ("COVID-19") in the State of Missouri was identified on March 7, 2020, and an emergency declaration in response to the spread of COVID-19 was made on March 13, 2020; and

WHEREAS, since the first case of COVID-19 was identified in Missouri, health care providers from across the state have altered their practices and operations in order to respond to COVID-19, and have provided exceptional care to patients in a rapidly-changing and challenging environment; and

WHEREAS, manufacturers and businesses from across the state have been instrumental in helping the State of Missouri respond to COVID-19, including modifying their operations to provide equipment that has been difficult to obtain from out-of-state suppliers, and remaining open to customers to ensure that citizens can access basic goods and services; and

WHEREAS, health care providers, manufacturers, businesses, and numerous other entities should not be legally penalized for their efforts to help respond to a declared emergency; and

WHEREAS, other fundamental functions of society, such as schools, churches, non-profit organizations, and government must be able to continue to operate in an environment where they can properly serve the public without risk of unnecessary and frivolous litigation; and

WHEREAS, due to COVID-19, the General Assembly was only able to meet in limited fashion during the Second Regular Session of the One Hundredth General Assembly; and

WHEREAS, additional immediate legislative measures must be taken to provide for the economic recovery from COVID-19 by providing liability protection to health care providers, manufacturers, business owners, churches, schools, and nonprofit organizations, among others.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, hereby amend the matters specifically designated and limited for consideration by the General Assembly in my October 21, 2020 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary is as follows:

1. To enact legislation amending Section 44.045, RSMo to provide liability protection for health care providers who provide care as necessitated by a declared state of emergency;
2. To add a new section to Chapter 537, RSMo to provide products liability protection for any person who designs, manufactures, labels, sells, distributes, or donates products in direct response to a declared state of emergency;
3. To add a new section to Chapter 537, RSMo to provide premises liability protection for exposure claims related to a declared state of emergency; and
4. To add an Emergency Clause to all legislation enacted by the One Hundredth General Assembly, of the State of Missouri in the Second Extra Session of the Second Regular Session.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 12th day of November, 2020.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE

Also,

GOVERNOR
STATE OF MISSOURI
November 13, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Ron T. Darrah as a member of the Missouri State Board of Accountancy, submitted to you on November 5, 2020. Line 3 should be amended to read:

and until his successor is duly appointed and qualified; vice, Ron T. Darrah, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
November 13, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Marga Hoelscher as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, submitted to you on November 5, 2020. Line 1 should be amended to read:

Marga Hoelscher, Independent, 209 East 30th Street, Kansas City, Jackson County,
Respectfully submitted,
Michael L. Parson
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the One Hundredth General Assembly, Second Regular Session, inform the Senate that the House duly convened in the Second Extraordinary Session of the Second Regular Session on Thursday, November 5, 2020, and is convened in full session and ready for consideration of its business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2021.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 1—By Emery and White.

An Act to repeal section 44.045, RSMo, and to enact in lieu thereof three new sections relating to civil actions arising during a declared state of emergency, with an emergency clause.

RESOLUTIONS

On behalf of Senator Hough, Senator Rowden offered Senate Resolution No. 3, regarding the One Hundredth Birthday of Pauline Taylor, Springfield, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 4, regarding Exchange Bank and Trust, Platte City, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 5, regarding Mary Institute and St. Louis Country Day School, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 6, regarding Parkway C-2 School District, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 7, regarding Rose Acres Elementary School, Maryland Heights, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 8, regarding Dana Keith, Jefferson City, which was adopted.

On motion of Senator Rowden, the Senate adjourned until 8:45 a.m., Tuesday, November 17, 2020.

SENATE CALENDAR

THIRD DAY – TUESDAY, NOVEMBER 17, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB1-Emery and White

HOUSE BILLS ON SECOND READING

HCS for HB 14

✓

Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

THIRD DAY—TUESDAY, NOVEMBER 17, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 9, regarding Jim Riek, Fulton, which was adopted.

On behalf of Senator Libla, Senator Rowden offered Senate Resolution No. 10, regarding Pastor Jamie and Deborah Jones, Caruthersville, which was adopted.

On behalf of Senator Libla, Senator Rowden offered Senate Resolution No. 11, regarding Elaine Libla, Poplar Bluff, which was adopted.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Monday, November 23, 2020.

SENATE CALENDAR

FOURTH DAY – MONDAY, NOVEMBER, 23, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB1-Emery

HOUSE BILLS ON SECOND READING

HCS for HB 14

✓

Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

FOURTH DAY—MONDAY, NOVEMBER 23, 2020

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 12, regarding Donna Dunavant, Fulton, which was adopted.

On behalf of Senator Libla, Senator Rowden offered Senate Resolution No. 13, regarding Don Day, Portageville, which was adopted.

On behalf of Senator Cunningham, Senator Rowden offered Senate Resolution No. 14, regarding Jan Spencer, Doniphan, which was adopted.

On behalf of Senator Riddle, Senator Rowden offered Senate Resolution No. 15, regarding Riley James Given, Mexico, which was adopted.

On behalf of Senator Crawford, Senator Rowden offered Senate Resolution No. 16, regarding Kevin C. Bond, Sedalia, which was adopted.

On behalf of Senator Emery, Senator Rowden offered Senate Resolution No. 17, regarding the Fiftieth Wedding Anniversary of Gregory and Janet Finkle, Hume, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 18, regarding Luke James Stanton, Liberty, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 19, regarding Wyatt Stafford, Versailles, which was adopted.

On behalf of Senator Bernskoetter, Senator Rowden offered Senate Resolution No. 20, regarding Alpha Kappa Alpha Sorority, Incorporated, Gamma Epsilon Omega Chapter of Jefferson City, which was adopted.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 1—Government Reform.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for HB 14—Appropriations.

REFERRALS

President Pro Tem Schatz referred the addendums appearing on pages 20 and 21 of the Senate Journal for Friday, November 13, 2020, to the Committee on Gubernatorial Appointments.

On motion of Senator Rowden the Senate adjourned until 4:00 p.m., Tuesday, December 1, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

FIFTH DAY—TUESDAY, DECEMBER 1, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“...the precepts of the Lord are right, rejoicing the heart; the commandments of the Lord is clear, enlightening the eyes;” (Psalm 19:8)

Once again, we call unto You our God, for we are mindful, we who are gathered, we who bring stories of the counties we serve and the various people who are struggling during this time. So, we continue to work and pray that each of us may have the servant’s heart and do what is most needful and helpful especially this time of the year. May our hearts be open and responsive to those who suffer and rejoice with those who have endured and recovered from the pandemic that has so effected parts of our state, this country and our world. Bless our efforts and be with us now and always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, November 5, 2020; Friday, November 13, 2020; Tuesday, November 17, 2020 and Monday, November 23, 2020 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
May	Nasheed	Riddle	Rizzo	Rowden	Sater	Schatz
Sifton	Wallingford	Walsh	White	Wieland	Williams—27	

Absent—Senators—None

Absent with leave—Senators

Luetkemeyer	O’Laughlin	Onder	Schupp—4
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 21, regarding the Fortieth Wedding Anniversary of Mickey J. and Gwendolyn C. Miller, St. Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 22, regarding the Seventieth Wedding Anniversary of Melvin and Norma Glenn, St. Joseph, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 23, regarding the Platte County High School Lady Pirates Women's Golf Team, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 24, regarding the One Hundredth Birthday of Earl Hammer, St. Joseph, which was adopted.

Senator Schatz offered Senate Resolution No. 25, regarding Class 3 Champion Sullivan High School Lady Eagles Softball Team, which was adopted.

Senator Walsh offered Senate Resolution No. 26, regarding Kathy Culp, Jefferson City, which was adopted.

On behalf of Senator Luetkemeyer, Senator Rowden offered Senate Resolution No. 27, regarding the Fiftieth Wedding Anniversary of Jackie D. and Peggy Wade, Platte City, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 28, regarding Corrections Officer II Corey DeClue, Bowling Green, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 29, regarding Corrections Supervisor I Frank Gittemeier, Jacksonville, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 30, regarding Corrections Officer Dakota Wheeler, Moberly, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 31, regarding Case Manager Tara Derboven, Huntsville, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 32, regarding Corrections Officer I Wyatt Wilson, Higbee, which was adopted.

President Pro Tem Schatz assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Hegeman, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 14**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Kehoe assumed the Chair.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 2—By Koenig.

An Act to repeal sections 44.100, 77.530, 79.380, 192.006, 192.020, 192.300, and 192.320, RSMo, and to enact in lieu thereof thirteen new sections relating to public health, with an existing penalty provision and

an emergency clause.

COMMUNICATIONS

President Pro Tem Schatz submitted the following:

December 1, 2020
Adriane Crouse
Secretary of the Senate
201 W. Capitol Ave. Rm 325
Jefferson City, MO

Dear Mrs. Crouse,

Pursuant to Rule 12, I am making the following changes to committees:

I remove Senator Tony Luetkemeyer from the committee on Government Reform and appoint Senator Bill White. In addition, remove Senator Tony Luetkemeyer from the committee on Gubernatorial Appointments and appoint Senator Mike Bernskoetter.

Sincerely



President Pro Tem

On motion of Senator Rowden the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—WEDNESDAY, DECEMBER 2, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 2-Koenig

HOUSE BILLS ON THIRD READING

HCS for HB 14 (Hegeman)

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Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

SIXTH DAY—WEDNESDAY, DECEMBER 2, 2020

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will give thanks to the Lord with my whole heart;” (Psalm 9:1a)

We see ahead reasons to give You thanks in all You have done for us O wonderful God of this Advent season. We pray that our efforts here and at home find favor in Your sight. May what we accomplish here today be worthy in Your sight and helpful to our people. May Your abiding presence be with us as we return home to those we love and care for. Open our hearts to You preparing us for the celebration of the holidays ahead being grateful for all that has come from Your gracious hand blessing us with those You have given us to love, friends and family, work and play, resources and abundance to share and a community that worship You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	May
Nasheed	Rizzo	Rowden	Sater	Schatz	Sifton	Wallingford
Walsh	White	Wieland	Williams—25			

Absent—Senators—None

Absent with leave—Senators

Arthur	Luetkemeyer	O’Laughlin	Onder	Riddle	Schupp—6
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Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 33, regarding Factory Manager II Robert Brian Duly, Pattonsburg, which was adopted.

Senator Hegeman offered Senate Resolution No. 34, regarding Jimmie Ray Gorham, Cameron, which was adopted.

Senator Rowden offered Senate Resolution No. 35, regarding Corrections Officer III (Lieutenant) Aaron Mozee, Columbia, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 36, regarding Milo Cravens, St. Peters, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 37, regarding Caiah Stull, St. Peters, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 38, regarding Kirk Cravens, St. Peters, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 39, regarding Kaiden Stull, St. Peters, which was adopted.

On behalf of Senator Onder, Senator Rowden offered Senate Resolution No. 40, regarding Jaren Moeser, O'Fallon, which was adopted.

Senator Eigel offered Senate Resolution No. 41, regarding Amelia Adamson, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 42, regarding Adi Kashyap, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 43, regarding Brianna Anderson, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 44, regarding Bryce Oshel, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 45, regarding Jones Calder, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 46, regarding Landon Hall, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 47, regarding Macallister Calder, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 48, regarding Mattingly Calder, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 49, regarding Ryan Contreras, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 50, regarding Sullivan Calder, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 51, regarding Samuel Halloran, St. Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 52, regarding Spencer Labhart, St. Peters, which was

adopted.

Senator Eigel offered Senate Resolution No. 53, regarding Walter Schnurr, St. Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 54, regarding Yash Chigurupati, O'Fallon, which was adopted.

Senator Cunningham offered Senate Resolution No. 55, regarding Doris Broeker, Jefferson City, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Dr. Sam L. Alexander, as a member of the MO HealthNet Oversight Committee;

Also,

Robert P. Ballsrud, as a member of the Higher Education Loan Authority of the State of Missouri;

Also,

W. Dustin Boatwright, Independent, as a member of the State Highways and Transportation Commission;

Also,

Kristy Lee Boresi, Democrat and Mary Beth Harper, Democrat, as members of the State Committee of Marital and Family Therapists;

Also,

Dr. Matthew D. Brandt, Independent, as a member of the State Board of Health and Senior Services;

Also,

Richard D. Callahan, Democrat and Terry Rackers, Republican, as members of the Lincoln University Board of Curators;

Also,

Stan Coday, Republican and Ashley McCarty, Democrat, as members of the Clean Water Commission of the State of Missouri;

Also,

Ron T. Darrah, as a member of the Missouri State Board of Accountancy;

Also,

Connie Diekman, Republican, as a member of the State Committee of Dietitians;

Also,

Donald P. Edinger, as a member of the Missouri Family Trust Board of Trustees;

Also,

Mark Fohey, Democrat, as a member of the Air Conservation Commission;

Also,

Dr. Donna Gloe, Dr. Bonny Kehm and Julie A. Miller, as members of the Missouri State Board of Nursing;

Also,

John Clark Hemeyer, Democrat, as a member of the State Lottery Commission;

Also,

Garry Kemp, Democrat, as a member of the Jackson County Sports Complex Authority;

Also,

Tracey S.C. Lewis, Independent, as a member of the Missouri Housing Development Commission;

Also,

Monica C. McCollough, as a member of the Board of Therapeutic Massage;

Also,

Hanh Nguyen, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Mark W. Nolte, Jerrod L. Hogan and David L. Smith, as members of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects;

Also,

Mark S. Owen, as a member of the Peace Officer Standards and Training Commission;

Also,

P. Michael Snider, as a member of the Missouri 911 Service Board;

Also,

Keith Dewayne Stevens, Republican, as a member of the State Soil and Water Districts Commission;
and

Connor Thompson, as a member of the Northwest Missouri State University Board of Regents.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and

consent to the above appointments and reappointments, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
December 2, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments:

Tony Bryan, 720 Autumn Glen Lane, Wentzville, Saint Charles County, Missouri 63385, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, Clint L. Harris, withdrawn.

Celeste Cramer, 32 Freida Lane, Clever, Stone County, Missouri 65631, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until her successor is duly appointed and qualified; vice, Wayne Feuerborn, resigned.

Gary Jungermann, 7353 State Road C, Fulton, Callaway County, Missouri 65251, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, RSMO 620.511.

Gregg A. Roberts, 3002 Frederick Avenue, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2024, and until his successor is duly appointed and qualified; vice, Matthew J. Aubuchon, resigned.

Frederic M. Steinbach, 237 South Greentrails Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until his successor is duly appointed and qualified; vice, William Skains, resigned.

Virgil L. White, III, 14150 Northwest 65th Court, Kansas City, Platte County, Missouri 64152, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2023, and until his successor is duly appointed and qualified; vice, Catherine Bass Black, resigned.

Jill Williams, 8 Country Breeze Circle, Eldon, Miller County, Missouri 65026, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2022, and until her successor is duly appointed and qualified; vice, Tec Chapman, withdrawn.

Timothy Norman Shelby, Republican, 12600 Ruger Lane 1900 House, Advance, Bollinger County, Missouri 63730, as the First District Commissioner of the Bollinger County Commission, for a term ending when his successor is duly elected or appointed and qualified; vice, Roger VanGennip, resigned.

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2022, and until her successor is duly appointed and qualified; vice, Anita Marlay, withdrawn.

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Dr. Stacia R. Bradley Brown, Independent, 6208 East 109th Street, Kansas City, Jackson County, Missouri 64134, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2022, and until her successor is duly appointed and qualified; vice, Winston Rutledge, term expired.

Timothy E. Wahl, Democrat, 4703 Sussex Drive, Columbia, Boone County, Missouri 65203, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2021, and until his successor is duly appointed and qualified; vice, Timothy E. Wahl, withdrawn.

Brian Gerau, Republican, 803 Lakeview Crossing, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2023, and until his successor is duly appointed and qualified; vice, Jason Bean, term expired.

Lisa K. Norton, Independent, 18235 State Road DD, Saint Joseph, Andrew County, Missouri 64505, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2025, and until her successor is duly appointed and qualified; vice, David G. Liechti, term expired.

John Cauthorn, Republican, 23712 Audrain Road 364, Mexico, Audrain County, Missouri 65265, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jeffrey William Lawrence, term expired.

Kathy Chinn, Republican, 28088 Lynx Avenue, Macon, Macon County, Missouri 63552, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until her successor is duly appointed and qualified; vice, Jeff L. Benbrook, term expired.

Doyle Childers, Republican, 420 Craig Street, Reeds Spring, Stone County, Missouri 65737, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Richard F. Stratman, term expired.

Adam Couch, Republican, 408 East Main Street Terrace, Odessa, Lafayette County, Missouri 64076, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jennifer A. Feldhaus, term expired.

Marga Hoelscher, Independent, 209 East 30th Street, Kansas City, Jackson County, Missouri 64108, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until her successor is duly appointed and qualified; vice, Andrew J. Zellers, term expired.

Dr. Gayle Holliday, Democrat, 14405 East 96th Street, Kansas City, Jackson County, Missouri 64139, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Jon R. Gray, term expired.

Dr. Alexander Richmond Hover Jr., Independent, 2900 North Rock Wall Lane, Ozark, Christian County, Missouri 65721, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Rebekah S. Lucas, term expired.

Jake Hummel, Democrat, 3841 Holly Hills Boulevard, Saint Louis, Saint Louis City, Missouri 63116, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Brian Nichols, term expired.

Christopher S. Kelly, Democrat, 2706 Bristol Lake Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Helen R. Washburn, term expired.

Roger Parshall, Republican, 811 Elm Street, Tarkio, Atchison County, Missouri 64491, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, Judy Marie Wright, term expired.

Bill Lovegreen, Republican, 501 College Park Drive, Kirksville, Adair County, Missouri 63501, as a member of the Missouri Citizens' Commission on Compensation for Elected Officials, for a term ending February 1, 2024, and until his successor is duly appointed and qualified; vice, James L. Hodge, term expired.

J. Mark Stidham, 13581 North Locust Street, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri 911 Service Board, for a term ending April 9, 2021, and until his successor is duly appointed and qualified; vice, J. Mark Stidham, withdrawn.

Shanda D. Trautman, Democrat, 615 North Althea Avenue, Nixa, Christian County, Missouri 65714, as a member of the State Technical College of Missouri Board of Regents, for a term ending December 29, 2021, and until her successor is duly appointed and qualified; vice, Shanda D. Trautman, withdrawn.

Michelle Luster, 718 Benvenue Drive, Saint Louis, Saint Louis City, Missouri 63137, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2021, and until her successor is duly appointed and qualified; vice, Michelle Luster, withdrawn.

Shawn G. Foster, Independent, 2801 Nutall Court, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2025, and until his successor is duly appointed and qualified; vice, Garry Kemp, term expired.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz moved that the above appointments be returned to the Governor per his request, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 2—Government Reform.

HOUSE BILLS ON THIRD READING

HCS for HB 14, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, refunds, and distributions of the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period ending June 30, 2021.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **HCS for HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bernskoetter	Brown	Cierpiot	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	May	Nasheed
Rizzo	Rowden	Sater	Sifton	Wallingford	Walsh	White
Wieland	Williams—23					

NAYS—Senator Burlison—1

Absent—Senator Schatz—1

Absent with leave—Senators

Arthur	Luetkemeyer	O’Laughlin	Onder	Riddle	Schupp—6
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Vacancies—3

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Rowden moved that motion lay on the table, which motion prevailed.

On motion of Senator Rowden the Senate adjourned until 10:00 a.m., Thursday, December 10, 2020.

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Journal of the Senate

SECOND REGULAR SESSION

SECOND EXTRA SESSION

SEVENTH DAY—THURSDAY, DECEMBER 10, 2020

The Senate met pursuant to adjournment.

President Pro Tem Schatz in the Chair.

RESOLUTIONS

Senator Rowden offered Senate Resolution No. 56, regarding Office Support Assistant Terrie Kraus, Boonville, which was adopted.

On behalf of Senator Cunningham, Senator Schatz offered Senate Resolution No. 57, regarding Melanie Fraker, Marshfield, which was adopted.

On behalf of Senator Cunningham, Senator Schatz offered Senate Resolution No. 58, regarding John Fogelsong, Marshfield, which was adopted.

On behalf of Senator Bernskoetter, Senator Schatz offered Senate Resolution No. 59, regarding Doug Ross, Sunrise Beach, which was adopted.

On behalf of Senator Sater, Senator Schatz offered Senate Resolution No. 60, regarding Shannon Neely, Mount Vernon, which was adopted.

On behalf of Senator Hegeman, Senator Schatz offered Senate Resolution No. 61, regarding Garry McFee, DeKalb, which was adopted.

On behalf of Senator Rizzo, Senator Schatz offered Senate Resolution No. 62, regarding the death of Lutisha Smith, which was adopted.

Senators Rowden and Bernskoetter offered Senate Resolution No. 63, regarding the death of Thomas Wayne Quinn, Jefferson City, which was adopted.

On behalf of Senator Cunningham, Senator Schatz offered Senate Resolution No. 64, regarding Perry Hayes Sr., Caulfield, which was adopted.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 14**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no

objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

On motion of Senator Schatz, the Senate of the Second Extraordinary Session of the Second Regular Session of the 100th General Assembly adjourned sine die, pursuant to the Constitution.

MIKE KEHOE

Lieutenant Governor

ADRIANE D. CROUSE

Secretary of Senate

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Journal of the Senate

ONE HUNDREDTH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

SECOND REGULAR SESSION

VETO SESSION

WEDNESDAY, SEPTEMBER 16, 2020

The Senate was called to order in Veto Session by Lieutenant Governor Mike Kehoe.

Reverend Carl Gauck offered the following prayer:

“Your decrees are my delight, they are my counselors.” (Psalm 119:24)

Gracious God: We gather as required and give thanks for our safe conduct. We look at all that is necessary for us to do and look to Your guidance in Your word to point out what is right and essential for us to be about. Bless us this day and help us always to follow the path that You set forth for us to follow. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Schupp—1

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the One Hundredth General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the One Hundredth General Assembly.

COMMUNICATIONS FROM THE GOVERNOR

The following communication, regarding vetoed Senate Bills were received by the Secretary of State, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
July 14, 2020

TO THE SECRETARY OF STATE
OF THE STATE OF MISSOURI
100th GENERAL ASSEMBLY
SECOND REGULAR SESSION

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill 718, entitled:

AN ACT

To repeal sections 36.020, 168.021, 192.2305, 208.151, 210.109, 210.150, 379.122, 620.2005, 620.2010, and 650.005, RSMo, and to enact in lieu thereof fourteen new sections relating to military affairs, with an existing penalty provision and a contingent effective date for certain sections.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill 718. My reasons for disapproval are as follows:

While I recognize and applaud the General Assembly in their effort to improve the laws governing our military families and military affairs of this state, I cannot approve this bill as presented to me.

Following the state government reorganization of 1974, the Adjutant General and the state militia, including the Missouri National Guard, were assigned to the Department of Public Safety. Sections 41.065 and 650.005 of Senate Bill 718 create a new state department, the Department of Military Forces, headed by the Adjutant General to administer the militia and state programs related to military forces, and rescinds the assignment to the Department of Public Safety. However, as recognized in the bill, the creation of a new department would require a constitutional amendment approved by Missourians.

Under Article IV, Section 12 of the Missouri Constitution “there shall not be more than fifteen departments and the office of administration” in addition to the elected officers. There are currently fifteen executive departments and the office of administration, therefore a new department would exceed the constitutional limit. The bill includes a Part B stating that the provisions in sections 41.065 and 650.005 become effective only upon approval by the people of an amendment to the Constitution. Unfortunately, a corresponding resolution was not approved. While I support the creation of a state department dedicated to defense, the enactment of this law without a corresponding resolution prevents the creation of the new department.

In furtherance of improving government for the benefit of citizens, I am also concerned about the effect of modifying sections 620.2005 and 620.2010 of the Missouri Works Program to allow for part-time jobs. One of the primary goals of economic development incentive programs is to provide meaningful and gainful employment to citizens, and to encourage and support full-time positions that benefit families for the long term. Inclusion of part-time jobs without further requirements or definitions adversely impacts and dilutes these existing programs.

There are many provisions contained within this bill of which I approve and fortunately also appear in Senate Bill 656 and House Bills 1682 and 1414, which I have signed. Unfortunately, three other provisions I support only appear in Senate Bill 718 and will, therefore, not become law as a result of my disapproval. I support Section 9.291, which designates November as the Military Family Month, and section 379.122, which protects service members from increased auto insurance premiums when a lapse in coverage is due to a deployment, honors the sacrifices made by our military families and protect service members when they return home. I also believe the clarification to the definition of surviving spouse in section 36.020 is necessary to effectuate the intent of 2018 merit reform bill. I look forward to working with the General Assembly next session on such beneficial provisions.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill 718 without my approval.

Respectfully Submitted,
Michael L. Parson
Governor

SS for SCS for SB 718 was called thereafter and no motion was taken thereon.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the One Hundredth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2020 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Article III, Section 32 of the Constitution, adopt no motions to override the Governor's vetoes on **SS No. 2** for **SCS for HCS for HB 1854**, **CCS for SCS for HS for HCS for HB 2002**, **CCS for SCS for HS for HCS for HB 2003**, **CCS for SCS for HS for HCS for HB 2005**, **CCS for SS for SCS for HS for HCS for HB 2006**, **CCS for SCS for HS for HCS for HB 2007**, **CCS for SCS for HS for HCS for HB 2008**, **CCS for SCS for HS for HCS for HB 2009**, **CCS for SCS for HS for HCS for HB 2010**, **CCS for SCS for HS for HCS for HB 2011**, and **CCS for SCS for HS for HCS for HB 2012**, when the bills were called by the Speaker.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Section 4.056, for sales and use tax refunds for which the taxpayer was notified of the expansion of the Department of Revenue's interpretation of the tax base by audit, and for the attendant costs incurred by taxpayers in audit compliance of Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also, the attached is a certified copy of the Roll call pertaining to the above named section of the Conference Committee Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 2004.

AYES: 138

Aldridge	Allred	Anderson	Andrews	Appelbaum	Bailey	Baker
Bangert	Baringer	Barnes	Beck	Black 137	Bland Manlove	Bosley
Bromley	Brown 27	Brown 70	Burns	Busick	Butz	Carpenter
Chappelle-Nadal	Chipman	Christofanelli	Clemens	Coleman 32	Cupps	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston	Ellebracht	Eslinger
Evans	Falkner	Fishel	Fitzwater	Francis	Gannon	Gray

Green	Grier	Griesheimer	Griffith	Gunby	Haden	Haffner
Hannegan	Hansen	Helms	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurst	Ingle	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lavender	Lovasco	Love
Lynch	Mackey	Mayhew	McCreery	McGaugh	McGill	Merideth
Messenger	Moon	Morris 140	Morse 151	Muntzel	Murphy	Neely
O'Donnell	Patterson	Person	Pfautsch	Pierson Jr.	Pietzman	Pike
Plocher	Pogue	Pollitt 52	Pollock 123	Porter	Proudie	Quade
Razer	Rehder	Reisch	Remole	Richey	Riggs	Roberts 161
Roberts 77	Roden	Rone	Rowland	Runions	Ruth	Sain
Sauls	Schnelting	Sharp 36	Shaul 113	Shields	Shull 16	Simmons
Smith	Sommer	Spencer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walsh	Washington	Wiemann
Wilson	Windham	Wright	Young	Mr. Speaker		

NOES: 6

Black 7	Miller	Reedy	Shawan	Solon	Stephens 128
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ABSENT: 17

Basye	Billington	Bondon	Burnett	Carter	Coleman 97	Gregory
McDaniel	Mitten	Morgan	Mosley	Price	Rogers	Ross
Schroer	Sharpe 4	Veit				

VACANCIES: 2

RESOLUTIONS

Senator Rowden offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of **SS** for **SCS** for **SB 718** when the bill was called by the president.

INTRODUCTIONS OF GUESTS

Senator Hoskins introduced to the Senate, Kelly Murphy, and his son, Garrett, Warrensburg.

On motion of Senator Rowden, the Senate of the Veto Session of the Second Regular Session of the 100th General Assembly adjourned sine die, pursuant to the Constitution.

MIKE KEHOE

Lieutenant Governor

ADRIANE D. CROUSE

Secretary of Senate

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